TRANSCRIPT OF RECORD.

SUPREME COURT OF THE UNITED STATES.

No. 190.

THE COUNTY OF SCOTLAND, PLAINTIFF IN ERROR,

vs.

JOSEPH T. THOMAS.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF MISSOURI.

FILED OCTOBER 17, 1874.

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a UNITED STATES OF AMERICA, *ss:*

The President of the United States to the honorable the judges of the circuit court of the United States for the eastern district of [SEAL.] Missouri, greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said circuit court before you, at the March term, 1874, thereof, between Joseph T. Thomas, plaintiff, and The County of Scotland, defendant, a manifest error hath happened, to the great damage of the said County of Scotland, as by its complaint appears:

We, being willing that error, if any hath been, should be duly corrected and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid with all things concerning the same to the Supreme Court of the United States, together with this writ, so that you have the same at Washington, D. C., on the second Monday of October next, in the said Supreme Court to be then and there held, that, the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein, to correct that error, what of right and according to the laws and customs of the United States should be done.

Witness the honorable Morrison R. Waite, Chief-Justice of the Supreme Court of the United States, this twenty-second day of June, in the year of our Lord one thousand eight hundred and seventy-four.

Issued at office in the city of St. Louis, with the seal of the circuit court of the United States for the eastern district of Missouri, dated as aforesaid.

AUSTIN DRAKE,
Clerk C. C. U. S., Eastern Dist. Mo.,
By H. C. GEISBERG, *D. C.*

Allowed by—

SAMUEL TREAT, *Judge.*

b UNITED STATES OF AMERICA,
Eastern District of Missouri, ss:

In obedience to the within writ of error, I herewith transmit to the Supreme Court of the United States a duly certified transcript of the record and proceedings in the within-mentioned case, with all things concerning the same.

Witness my hand, at office in the city of St. Louis, in said district, this 13th day of October, A. D. 1874.

AUSTIN DRAKE, *Clerk,*
By H. C. GEISBERG, *Deputy.*

(Indorsed:) United States circuit court, eastern district of Missouri. Joseph T. Thomas, D. E., vs. County of Scotland, P. E. Writ of error to the circuit court of the United States for the eastern district of Missouri. Returned and filed , 187 , , clerk.

c The United States of America to Joseph T. Thomas, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States to be holden at Washington, D. C., on the second Monday of October next, pursuant to a writ of error filed in

the clerk's office of the circuit court of the United States for the eastern district of Missouri, wherein The County of Scotland is plaintiff in error and you are defendant in error, to show cause, if any there be, why the judgment rendered against the said plaintiff in error, as in the said writ of error mentioned, should not be corrected, and why speedy justice should not be done to the parties in that behalf.

Witness the honorable Samuel Treat, judge of the circuit court of the United States for the eastern district of Missouri, this 22d day of June, in the year of our Lord one thousand eight hundred and seventy-four.

SAMUEL TREAT,
Judge United States Circuit Court, Eastern District of Missouri.

d Service of the within citation acknowledged.

JOSEPH T. THOMAS,
By BLAND & BAKER,
Attys.

(Indorsed:) United States circuit court, eastern district of Missouri. Joseph T. Thomas, D. E., vs. County of Scotland, P. E. Citation. Filed , 187 , , clerk.

1 UNITED STATES OF AMERICA,
Eastern District of Missouri, sct:

Pleas before the honorable the circuit court of the United States for the eastern district of Missouri, at the September term thereof, A. D. 1873.

JOHN T. THOMAS, PLAINTIFF,
vs.
THE COUNTY OF SCOTLAND, IN THE STATE OF Missouri, defendant. } Petition.

Be it remembered that heretofore, to wit, on the 23d day of August, A. D. 1873, there was filed in the office of the clerk of the circuit court of the United States for the eastern district of Missouri, a petition in words and figures following, to wit:

Petition.

UNITED STATES OF AMERICA,
Eastern District of Missouri, ss:

In the circuit court of the United States for the eastern district of Missouri, September term, A. D. 1873.

JOHN T. THOMAS, PLAINTIFF,
vs.
THE COUNTY OF SCOTLAND, IN THE STATE OF Missouri, defendant.

2 The plaintiff says he is a citizen of the State of New York, and the defendant is a county of the State of Missouri, duly established and organized in pursuance of the laws of the said State, and is a citizen thereof.

The plaintiff further says that, by an act of the general assembly of the said State of Missouri, entitled "An act to incorporate the Alexan-

dria and Bloomfield Railroad Company," approved February 9th, A. D. 1857, the said Alexandria and Bloomfield Railroad Company was incorporated and thereafter was duly organized under said act of incorporation; that the tenth section of the said act of incorporation provides as follows, viz: The said company shall in all things be subject to the same restrictions and entitled to all the privileges, rights, and immunities which were granted to the North Missouri Railroad Company by an act entitled "An act to incorporate the North Missouri Railroad Company," approved March 3d, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted;" that the said act of March 3d, 1851, last above mentioned, and the fourteenth section thereof, contains the following provision, viz: "It shall be lawful for the county court of any county, in which any part of the route of said railroad may be, to subscribe to the stock of said company, and it may invest its funds in the stock of said company and issue the bonds of such county to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interest and credit of the county.

3 The plaintiff further states that a part of the route of the said Alexandria and Bloomfield Railroad Company's railroad was within the said county of Scotland, as the same is designated in the said act incorporating the said company.

The plaintiff further says that in pursuance of an act of the said general assembly, entitled "An act to amend an act entitled 'An act to incorporate the Alexandria and Bloomfield Railroad Company,' approved February 9th, 1857, authorizing the said company to change the incorporate name, also authorizing said company to extend said road from a point at or near Luray, in Clark County, Missouri, to Nebraska City, in Nebraska Territory, by way of or near Rockport, in Atchison County, Missouri; and also authorizing said company to adopt all or any of the sections of this act, the same to be binding on said railroad company," approved February 19th, 1866, the first section of which said act was adopted by the board of directors of the said Alexandria and Bloomfield Railroad Company, at a meeting of said board called for that purpose, in the manner prescribed in said act, the said Alexandria and Bloomfield Railroad Company changed its corporate name to that of the Alexandria and Nebraska City Railroad.

The plaintiff further says that, in pursuance and by authority of the general laws of the States of Missouri and Iowa, the said Alexandria and Nebraska City Railroad entered into articles of consolidation

4 with the Iowa Southern Railway Company, of the State of Iowa, a corporation incorporated and organized under the laws of the said State of Iowa, whereby the said two last-mentioned corporations became and were merged and consolidated into one corporation, under the name of the Missouri, Iowa and Nebraska Railway Company; which said articles of consolidation were duly filed with the respective secretarys of state of the said States of Missouri and Iowa.

The plaintiff further says that the county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of that year, in pursuance of the powers granted in the said act of incorporation incorporating the said Alexandria and Bloomfield Railroad Company, subscribed to the capital stock of the said Missouri, Iowa, and Nebraska Railroad Company, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each, and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court

of the said county, in pursuance of the said powers granted as aforesaid, caused the bond of the said county numbered 97 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable on the 31st day of December, A. D. 1895, at the Farmers' Loan and Trust Co., New York, with interest thereon from the 31st day of December, A. D. 1870, at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company or bearer, which said bond is in the words and figures following, viz:

$1,000.00.] UNITED STATES OF AMERICA.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, formerly Alexandria and Bloomfield Railroad Company of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan and Trust Company, New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto the seal of said court.

This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this first day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

7 The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 21st day of December, A. D. 1871, aforesaid. And afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons except that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered two of said bond, bearing date September 1st, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Co. in New York, the sum of eighty dollars, being one year's interest on said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof; and at its maturity the plaintiff caused the same to be duly presented for payment, at the said place of payment, and payment thereof was not made. And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, and for the interest thereof from

8 and after the maturity of said coupon, the said 31st day of December, A. D. 1872, for which said sum and interest thereon he asks judgment.

9 SECOND COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 63 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 63.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto the seal of said court.

This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was, for value, (together with the said bond,) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and

owner thereof, and, at its maturity, the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

11 3D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 64 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 64.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
12 thereto the seal of said court.

This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

13 4TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 65 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 65.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December, in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto
14 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

15 5TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its power so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 117 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 117.

Eight-per-cent. railroad-bond.

County of Scotland.] [Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consol-

idation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railroad Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court or said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
16 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expeet* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was, for value, (together with the said bond,) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner

thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

17 6TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 116 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 116.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company, of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa,) in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the

order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same, and affixing thereto the
18 seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

19 7TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital-stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and

in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 115 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 115.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and

issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital-stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

21 8TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital-stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 114 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 114.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (for-

merly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
22 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital-stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be

duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

23 9TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital-stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 113 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 113.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railrway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, A. D. 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof attesting the same and affixing
24 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI. SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital-stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

25 10TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the

said county numbered 44 to be duly executed and issued on the first day of September, A. D 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 44.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
26 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland, County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscrip tion of one

thousand dollars, for the said ten shares of its capital-stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

27 11TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 45 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 45.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of

Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
28 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

29 12TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 46 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 46.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

30 thereto the seal of said court. This done at the town of Mem-

phis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

31 13TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 36 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan

Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 36.

Eight per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
32 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as afore-

said, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

33 14TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 82 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No 2.

Eight per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railway Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby

Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 36.

Eight per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
32 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as afore-

said, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

33 14TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 82 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No 2.

Eight per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railway Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby

promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
34 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

35 15TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 35 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 35.

Eight per cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December, in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

36 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

37 16TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 75 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 75.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa

and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
38 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the owner and holder thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity

thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

39 17TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 66 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 66.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereunto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1859.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
40 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

41 18TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand chares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 81 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000] UNITED STATES OF AMERICA. [No. 81.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an act to incorporate the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
42 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, an

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

43 19TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 149 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 149.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
44 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner

thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

45 20TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 140 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 140.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this

bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
46 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively, one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

47 21ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 141 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 141.

Eight per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signed his name hereto and the clerk of said court, under the order thereof, attesting the same and affixing
48 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

49 22D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 142 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 142.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (for-

merly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
50 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place of payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the in-

terest thereon from and after the maturity of said coupon, to wit, the said 31st day of December, A. D. 1872, for which said sum and the interest thereon he asks judgment.

51 23D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 32 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1.000.] UNITED STATES OF AMERICA. [No. 32.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Cempany, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

52 thereto the seal of said court. This done at the town of Mem-

phis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

53 24TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of Septem, ber of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 138 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one

thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 138.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
54 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of

one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

55 25TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 33 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bonds is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 33.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company, of the State of

Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
56 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

57 26TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment of one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of said county numbered 34 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 34.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

58 thereto the seal of said court. This done at the town of Memphis,

in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

59 27TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 85 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers'

Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 85.

Eight-per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum; which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscriptions to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same, and affixing
60 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of

one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmer's Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

61 28TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 56 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 56.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of

Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and in pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
62 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri,

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon

the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

63 29TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 57 to be duly executed and issued on the first day of September A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 57.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years'

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto and the clerk of said court, under the order thereof, attesting the same and affixing

64 thereto the seal of said court. This done at the town of Mem-

phis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

65 30TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 93 to be duly executed and issued on the first day of September A. D. 1870, in the sum of one thou-and

dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 93.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assemly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing 66 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thou-

sand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity ot the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

67 31ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 178 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 178

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county

hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
68 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon

the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

69 32D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 179 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 179.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed, this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same, and affixing

70 thereto the seal of said court. This done at the town of Mem-

phis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

71 33D COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 118, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thou-

sand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 118.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
72 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

73 34TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 177 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 177.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company,

(formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said company hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
74 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

75 35TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 176 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 176.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto

76 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

77 36TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 175 to be duly

executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 175.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
78 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

79 37TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each, and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 174 to be duly executed and issued, on the first day of September A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway, Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 174.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (for-

merly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
80 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

81 38TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 74 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] [UNITED STATES OF AMERICA.] [No. 74.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the State of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the

order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto
82 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 26, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland, promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

83 39TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 87 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 87.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan and Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
84 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1872.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bonds were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

85 40TH COUNT.—And for a further and different cause of action the plaintiff says the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 73 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 73.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupon hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
86 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be

duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

87 41ST COUNT.—And for a further and different cause of action, the plaintiff says that the county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 72 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 72.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the State of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railway Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscribtion to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
88 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

89 42D COUNT.—And for a further and different cause of action, the plaintiff says that the said County court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 152 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 152.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan and Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
90 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

91 43D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 150 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to, wit:

$1,000.] UNITED STATES OF AMERICA. [No. 150.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company,

(formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assemby of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
92 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively, one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and ssued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and, afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented

for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

93 44TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 151, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 151.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said

court, under the order thereof, attesting the same and affixing
94 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING McDONALD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

95 45TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D, 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 148 to be duly executed and issued

on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 148.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
96 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons

annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the owner and holder thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

97 46TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 14 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December, 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 14.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State

of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
98 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

99 47TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 13 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 13.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

100 thereto the seal of said court. This done at the town of Memphis,

in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

101 48TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 15 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers'

Trust and Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 15.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five yea s.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same
102 and affixing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand

dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

103 49TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 100 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 100.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the

31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of the said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
104 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

105 50TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of

Scotland, in the year 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of it said powers, caused the bond of the said county numbered 163 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 163.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
106 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

107 51ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its power so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 139 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 139.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the

State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 21st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
108 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa, and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's in-

terest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

109 52D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 164 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 164.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an act to incorporate

the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
110 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD, *Clerk of the County Court of Scotland County, Missouri.*

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

111 53RD COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name

mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 165 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 165.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereunto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
112 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland county, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being

for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

113 54TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 166 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 166.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and

Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an act to incorporate the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
114 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder

and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

115 55TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 167 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 167.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this

bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same] and affixing
116 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan & Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

117 56TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused

the bond of the said county numbered 71 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 71.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
118 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

119 57TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 90 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 90

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the county of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con

solidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
120 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

121 58TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 123 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 123.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa, and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court signing his name hereto, and the clerk of said

court, under the order thereof, attesting the same and affixing
122 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

123 59TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused

the bond of the said county numbered 124 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 124.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing 124 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and

issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

125 60TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 125 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent, per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 125.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
126 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERSING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

127 61ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa, and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 24 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 24.

Eight-per-cent. railroad bond.

County of Scotland. Twenty five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa, and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa, and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said court, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
128 thereto the seal of said of said court. This done at the town of Memphis, in the county of Scotand, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bonds were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

129 62D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said

powers, caused the bond of the said county numbered 143 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 143.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
130 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

131 63D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 144 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 144.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
132 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

131 63D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 144 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 144.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
132 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder

and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

133 64TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 16 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 16.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the

order of said court, signing his name hereto and the clerk of said court, under the order thereof, attesting the same and affixing thereto
134 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

135 65TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 84 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 84.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa, and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
136 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numpered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

137 66TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each, and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 37 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 37.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
138 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871 aforesaid ; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner

thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

139 67TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 89 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 89.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this

bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
140 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing, successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued, as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was, for value, (together with the said bond,) sold and transferred, by delivery, to the plaintiff, before the maturity thereof; and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

141 68TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one

thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 86 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 86.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by a consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an act to incorporate the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
142 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.}

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly deilvered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

143 69TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 98 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 98.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consol

idation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
144 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued, as aforesiad, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner

thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

145 70TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 83 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 83.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county-court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
146 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued, as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said first day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereo', and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

147 71ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares,

the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 67 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust and Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 67.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formely Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
148 thereto the seal of said court. This done at the town of Memphis in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONALD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued, as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons attached thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupon, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was, for value, (together with the said bond,) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

149 72D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 68 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 68.

Eight-per-cent. railroad bond.

County of Scotland. Twenty five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by

virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall became due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an act to incorporate the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same, and affixing
150 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.	STERLING McDONOLD, *Clerk of the County Court of Scotland County, Missouri.*

To which said bond were annexed twenty-five interest coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued, as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and

owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

151 73D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 69 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 69.

Eight per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said

court, under the order thereof, attesting the same and affixing
152 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

153 74TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska railway company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 27 to be duly executed and

issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 27.

Eight-per-cent railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the sai l County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
154 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

court, under the order thereof, attesting the same and affixing
152 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

153 74TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska railway company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 27 to be duly executed and

issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 27.

Eight-per-cent railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the sai l County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
154 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

155 75TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 26 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 26

Eight-per-cent.-railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consol-

idation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the icty of New York on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
156 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be

duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

157 76TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa, and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 70 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 70.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
158 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff, before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

159 77TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 158 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 158.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
160 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing succes-

sively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

161 78TH COUNT. And for a further and different cause of action, the plaintiff says that the said county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 159 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 159.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa

and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto
162 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONALD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with

the said bond) sold and transferred, by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

163 79TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 160 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 160.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incor-

porate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
164 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

165 80TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name

mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 161 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 161.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 21st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
166 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being

for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

167 81ST COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 162 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 162.

Eight-per-cent. railroad-bond.

County of Scotland.] [Twenty-five years.

Know all men by these presents that the county of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa

and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
168 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa, and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said county of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together

with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at this place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

269 82D COUNT.—And, for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 25 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 25.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
170 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

171 83D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same

being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 126 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 126.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
172 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing succes-

sively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

173 84TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 127 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 127.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by vir-

tue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signed his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
174 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder

and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

175 85TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 119 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 119.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this

bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
176 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

177 86TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one

thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 120 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 120.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
178 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

179 87TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 121 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 121.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by

virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
180 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder

and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

181 88TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 122 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 122.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the county of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled an "Act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said

court, under the order thereof, attesting the same and affixing
182 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONALD,
Clerk of the County Court of Scotland County Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

183 89TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused

the bond of the said county numbered 17 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 17.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
184 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

185 90TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 18 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 18.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consol-

idation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
186 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A.D. 1870.

The plaintiff further says the bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond; which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof; and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interestt hereon, he asks judgment.

187 91ST COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 200 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 200

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
188 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

189 92D COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 199 to be duly executed and issued,

on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 199.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
190 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Ne-

braska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

191 93D COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each, and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 198 to be duly executed and issued, on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 198.

Eight-per-cent. railroad-bonds.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (for-

merly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
192 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly pre-

sented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

193 94TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 197 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 197.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said

court, under the order thereof, attesting the same and affixing
194 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

195 95TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond

of the said county, numbered 196, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 196.

Eight per cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupon hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
196 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

197 96TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 190 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 190.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State

of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
198 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

199 97TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 188 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 188.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same, and affixing

200 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the owner and holder thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

201 98TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 187 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thou-

sand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000] UNITED STATES OF AMERICA. [No. 187.

Eight-per-cent. railroad bond.

County of Scotland. Twenty five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be paid annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
202 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons

annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

203 99TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 189 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 189.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa,

in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed, this bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
204 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

205 100TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 6 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 6.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

206 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

207 101ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 5 to be duly executed and issued

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

205 100TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 6 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 6.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing

206 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *except* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

207 101ST COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 5 to be duly executed and issued

on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 5.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
208 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and

Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

209 102D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 4, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 4.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (for-

merly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
210 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D., 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

211 103D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 3 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit

$1,000.] UNITED STATES OF AMERICA. [No. 3.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto and the clerk of said

court, under the order thereof, attesting the same and affixing there-
212 to the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

213 104TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused

the bond of the said county numbered 2 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 2.

Eight per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony thereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
214 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and

issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

215 105TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 1 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 1.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (for-

merly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
216 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONALD,
Cerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to

be duly presented for payment at the said place for payment, and paymedt thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

217 106TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 80 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 80.

Eight per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
218 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says that the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

219 107TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 79 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 79.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto
220 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

221 108TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 78 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 78.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consol-

idation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
222 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder

and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

223 109TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of one hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county number 77 to be duly executed and issued on the first day of September, 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 77.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this

bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
224 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

225 110TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said county of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one

thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 76 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 76.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
226 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{SCOTLAND COUNTY COURT, MISSOURI, SEAL.}

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing succes-

sively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

227 111TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 137 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 137.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the

State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December, in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued, under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
228 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's

interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

229 112TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 136, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 136.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general as-

sembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
230 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing was, for value, sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said coupon, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

231 113TH COUNT.—And, for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name

mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 135, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 135.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of the said court, under the order thereof, attesting the same and affixing
232 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for

one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

233 114TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 134, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 134.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa

and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof, the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing thereto
234 the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL. STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one

year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendent is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

235 115TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment of one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 133 to be duly executed and issued on the first day of December, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 133.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of

the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
236 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa, and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

237 116TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred

thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 132, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 132.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the State of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
238 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING MCDONALD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being

for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

239 117TH COUNT.—And, for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 131, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [N 121.

Eight-per cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and

Nebraska Railroad Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
240 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its

maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

241 118TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 130 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 130.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with the interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed, this bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa, and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under

the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
242 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD, *Clerk of the County Court of Scotland County, Missouri.*

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

243 119' COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 129 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 129.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
244 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

SCOTLAND COUNTY COURT, MISSOURI, SEAL.

STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the ten shares of its capital-stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

245 120TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 128 to be duly executed and issued on the 1st day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa, and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 128.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by con-

solidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed; this bond being issued under and pursuant to an order of the county court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
246 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI. SEAL.

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery, to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff

caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant was justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

247 121ST COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 62 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 62.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, un-

der the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affix-
248 ing thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

249 122D COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the

said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 61 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer; which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 61.

Eight-per-cent. railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County for subscriptions to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
250 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said first day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay the bearer thereof on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

251 12ɜD COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 60 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 60

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by

virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
252 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }
STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof; that by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before

the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

253 124TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 59 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 59.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this

bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
254 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
SCOTLAND COUNTY COURT, MISSOURI, SEAL.
STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

255 125TH COUNT.—And for a further and different cause of action the plaintiff says that the county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one

thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 58 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 58.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
256 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

257 126TH COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 23 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 23.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by

virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State ot Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond, by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
258 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons *expect* [except] that one first maturing, was for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof,

and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon, from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

259 127TH COUNT.—And, for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 22 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 22.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this

bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
260 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery, t the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff, before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

261 128TH COUNT.—And, for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars, for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one

thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 21, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF &MERICA. [No. 21.

Eight-per-cent railroad bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
262 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:
{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

263 129TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 20 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 20.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by

virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
264 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. } STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25 inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff before

the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum, and the interest thereon, he asks judgment.

265 130TH COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 19 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 19.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
266 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was, for value, (together with the said bond,) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

267 131ST COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same

being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county, numbered 147, to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co., in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 147.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
268 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being

for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

269 132D COUNT.—And for a further and different cause of action the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 146 to be duly executed and issued on the first day of September, A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 146.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa

and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company, (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
270 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING MCDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-coupons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each maturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond, so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was, for value, sold and transferred, by delivery, to the plaintiff, who is the owner and holder thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to the bearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (to-

gether with the said bond) sold and transferred by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon, (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

271 133D COUNT.—And for a further and different cause of action, the plaintiff says that the said county court of the said County of Scotland, in the year A. D. 1870, and prior to the 1st day of September of said year, in pursuance of its powers so to do, as the same are set forth and derived by averments in the first count of this petition, did subscribe to the capital stock of the said Missouri, Iowa and Nebraska Railway Company, which is the same railway company of that name mentioned and described in the said first count, in the sum of two hundred thousand dollars for two thousand shares of said stock, the same being in shares of one hundred dollars each; and in payment for one thousand dollars of said subscription, being for ten of said shares, the said county court of said county, in pursuance of its said powers, caused the bond of the said county numbered 145 to be duly executed and issued on the first day of September A. D. 1870, in the sum of one thousand dollars, payable December 31st, A. D. 1895, at the Farmers' Trust & Loan Co. in New York, with interest thereon at the rate of eight per cent. per annum, to the said Missouri, Iowa and Nebraska Railway Company, or bearer, which said bond is in the words and figures following, to wit:

$1,000.] UNITED STATES OF AMERICA. [No. 145.

Eight-per-cent. railroad-bonds.

County of Scotland. Twenty-five years.

Know all men by these presents that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company,) of the State of Missouri, and the Iowa Southern Railway Company, of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company, or bearer, at the Farmers' Loan & Trust Company, in New York, on the 31st day of December, A. D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually in the city of New York, on the 31st day of December in each year as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the county court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the general assembly of the State of Missouri, entitled "An act to incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said County of Scotland has executed this bond by the presiding justice of the county court of said county, under the order of said court, signing his name hereto, and the clerk of said court, under the order thereof, attesting the same and affixing
272 thereto the seal of said court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A. D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{SCOTLAND COUNTY COURT, MISSOURI, SEAL.} STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To which said bond were annexed twenty-five interest-conpons, numbered from 1 to 25, inclusive, each in the sum of eighty dollars, being for one year's interest upon the said bond, and each muturing successively one year after the other, and all bearing date September 1st, A. D. 1870.

The plaintiff further says, the said bond so numbered, executed, and issued as aforesaid, was duly delivered to the said Missouri, Iowa and Nebraska Railway Company, together with the said interest-coupons annexed thereto, as aforesaid, in payment for the said subscription of one thousand dollars, for the said ten shares of its capital stock, as aforesaid, before the 31st day of December, A. D. 1871, aforesaid; and afterwards, and before the maturity of the second maturing of the said coupons, the said bond, together with all of the said coupons, *expect* [except] that one first maturing, was for value sold and transferred, by delivery to the plaintiff, who is the holder and owner thereof. That by the second maturing of the said coupons, now detached by the plaintiff from the said bond, being coupon numbered 2 of the said bond, and bearing date the said 1st day of September, A. D. 1870, and herewith filed, the said County of Scotland promised to pay to th ebearer thereof, on the 31st day of December, A. D. 1872, at the said Farmers' Loan and Trust Company, in New York, the sum of eighty dollars, being one year's interest on the said bond, which said coupon was for value (together with the said bond) sold and transferred, by delivery to the plaintiff before the maturity thereof, and the plaintiff is now the holder and owner thereof, and at its maturity the plaintiff caused the same to be duly presented for payment at the said place for payment, and payment thereof was not made.

And the plaintiff says the defendant is justly indebted to him upon the said coupon in the said sum of eighty dollars, together with the interest thereon from and after the maturity of said coupon (to wit, the said 31st day of December, A. D. 1872,) for which said sum and the interest thereon he asks judgment.

273 Wherefore the plaintiff avers that in consideration of the premises as contained and set forth in the said several counts of the foregoing petition, the defendant is justly indebted to him in the sum of ten thousand six hundred and forty dollars, with interest from the said 31st day of December, 1872, for which last-mentioned sum and interest, together with his costs, the plaintiff asks judgment.

BLAND AND BAKER,
Attys. for Plaintiffs,
With whom is F. T. HUGHES.

And thereupon a summons issued out of the office of the clerk of the circuit court of the United States for the eastern district of Missouri; which summons is in the words and figures following, to wit:

Summons.

EASTERN DISTRICT OF MISSOURI, *set:*

The President of the United States of America to the marshal of the eastern district of Missouri, greeting:

You are hereby commanded to summon the County of Scotland, in the State of Missouri, citizen of said State of Missouri, that it be and appear before the honorable circuit court of the United States for the eastern district of Missouri, on the first day of the next term thereof, to be holden at the city of St. Louis, in and for said district, on the third Monday of September next, then and there to answer the com-
274 plaint of John T. Thomas, a citizen of the State of New York, as set forth in the petition filed in said court on the twenty-third day of August, A. D. eighteen hundred and seventy-three. Hereof fail not and have you then and there this writ.

Witness the honorable Nathan Clifford, senior associate justice of the Supreme Court of the United States, the 23d day of August, A. D. eighteen hundred and seventy-three.

Issued at office, in the city of St. Louis, under the seal of said circuit court, the day and year last aforesaid.

[SEAL.]

AUSTIN DRAKE,
Clerk of said Court.
By H. C. GEISBERG,
Deputy.

Upon which summons the marshal of the United States for the eastern district of Missouri made return in words and figures following, to wit:

Marshal's return.

UNITED STATES OF AMERICA,
Eastern District of Missouri, ss:

Executed this writ by delivering a copy of the same, together with a copy of the petition, to Sterling McDonald, clerk of the county court of Scotland County, at Memphis, within the eastern district of Missouri, August 25th, 1873.

C. A. NEWCOMB,
U. S. Marshal E. D. Mo.
By WM. H. BIERSTADT,
Deputy.

And at the regular stated term of the circuit court of the United
275 States for the eastern district of Missouri, begun and holden at the city of St. Louis, in and for said district, on the third Monday, the 15th day of September, A. D. 1873, the following proceedings were had in this cas' on Tuesday, the 16th day of September, 1873, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
THE COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day comes the defendant, by its attorneys, and files a demurrer to the petition herein.

The demurrer filed as aforesaid is in the words and figures following, to wit:

Demurrer.

U. S. circuit court.

JOHN T. THOMAS, PLFF.,
vs.
THE COUNTY OF SCOTLAND, DEFT.

And the said defendant comes and demurs to the petition of plaintiff in the above-entitled cause:

1. Because *the* neither the act of the gen'al assembly of the State of Missouri chartering the Alexandria and Bloomfield Railroad Company, nor the 10th section thereof referred to in said petition, authorizes the county court of Scotland County to subscribe for the stock of the said Alexandria and Bloomfield Railroad Company, or to issue the bonds of the county to pay for said stock, or to loan its credit to said company.

2. The 10th section of the charter of the Alexandria and Bloom-
276 field Railroad Company does not adopt or re-enact the 14th section of the charter of the North Missouri Railroad Company.

3. The act of consolidation made and entered into between the Alexandria and Nebraska City *City* Railroad Company and the Iowa Southern Railway Company, by which the Missouri, Iowa & Nebraska Railway Company was formed, did not and could not authorize the county court of Scotland County to subscribe for the stock of the Missouri, Iowa and Nebraska Railway Company or to issue the bonds in question without a vote of two-thirds of the qualified voters of said county assenting thereto at a regu*ral* or special election.

SHARP AND BROADHEAD,
Attorney for Deft.

And afterwards, at said September term, A. D. 1873, of said circuit court, the following further proceedings were had in this cause on Thursday, the 25th day of September, A. D. 1873, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come the parties by their respective attorneys, the plaintiff by Messrs. Bland and Baker, and the defendant by Messrs. Sharp and Broadhead; whereupon the demurrer to the petition herein was
277 argued by counsel, but such argument not having been concluded at the hour of adjournment, it is ordered that further proceedings herein be continued until to-morrow morning.

And afterwards, on Friday, the 26th day of September, A. D. 1873, the following further proceedings were had in this cause, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come again the parties, by their respective attorneys, as on yesterday, and thereupon the hearing upon the demurrer to the pe-

tition herein was resumed, and the same was further argued by counsel and submitted, and the court not being fully advised in the premises, takes further time to consider thereof.

And on the 26th day of September, A. D. 1873, counsel in the case filed a stipulation in words and figures following, to wit:

Stipulation with reference to submission of subscription to voters.

THOMAS, PLFF.,
vs.
THE COUNTY OF SCOTLAND, DEFT.

It is stipulated by and between the parties to the above-entitled cause that the question of subscribing to the stock of the Missouri, Iowa and Nebraska Railroad Company, or of issuing the bonds in
278 question, was never submitted to a vote of the qualified voters of the county at either a regular or special election, and that this fact may be considered as an averment in the petition and considered by the court in determining the demurrer.

BLAND AND BAKER,
F. T. HUGHES,
Attys. for Plaintiff.
SHARP AND BROADHEAD,
Attys. for Deft.

And afterwards, at said September term, A. D. 1873, of said circuit court the following further proceedings were had in this cause on Wednesday, the 26th day of November, A. D. 1873, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
THE COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come the parties, by their respective attorneys, and consent that the judgment to be rendered herein may be entered in vacation as of this term, and in case the demurrer to the petition herein be overruled, the right is reserved to said defendant to answer over or stand upon the judgment of the court upon said demurrer, as it may elect.

And afterwards, at the March term, A. D. 1874, of said circuit
279 court, begun and holden at the city of St. Louis, in and for the eastern district of Missouri, the following further proceedings were had in this cause on Saturday, the 28th day of March, A. D. 1874, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come the parties, by their respective attorneys, the plaintiff by Messrs. Bland and Baker and the defendant by Messrs. Sharp and Broadhead, whereupon the demurrer to the petition herein was further argued by counsel and submitted, and by the court taken under advisement.

And afterwards, at said March term, A. D. 1874, of said circuit court

the following further proceedings were had in this cause on Friday, the 10th day of April, A. D. 1874, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come the parties, by their respective attorneys, and the court having considered the questions of law arising upon the demurrer to the petition of said plaintiff, and being fully advised in the premises, is of opinion that the law upon said demurrer is for the plaintiff, and said demurrer is therefore overruled.

280 And afterwards, at said March term, A. D. 1874, of said circuit court the following further proceedings took place in this cause on Monday, the 13th day of April, A. D. 1874, to wit:

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day comes the defendant, by its attorney, on whose motion leave is granted said defendant to file its answer herein on or before the first day of June next, and it is further ordered that this case be continued until the next term of this court.

And afterwards, at said March term, A. D. 1874, of said circuit court the following further proceedings were had in this cause on Thursday, the 4th day of June, A. D. 1874, to wit:

Finding and judgment.

JOHN T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day come the parties, by their attorneys, the plaintiff by Andrew J. Baker, esquire, and the defendant by James O. Broadhead, esquire, whereupon the plaintiff, by leave of court, amends his petition on
281 the face thereof by striking out the word "John" as the Christian name of the plaintiff, and inserting "Joseph" in lieu thereof; and further by striking out the words "New York" as the State of which said plaintiff is alleged to be a citizen, and inserting "Pennsylvania" in lieu thereof. And a demurrer to said petition having been heretofore overruled, and said defendant failing to make further answer to said petition, but electing to abide by the decision of the court upon said demurrer, the plaintiff asks judgment upon the pleadings herein; on consideration whereof the court finds for the plaintiff on the issues and that said plaintiff is entitled to a judgment against said defendant by reason of the non-payment of the coupons or interest-warrants in said petition mentioned in the sum of ($11,551.49) eleven thousand five hundred and fifty-one dollars and forty-nine cents.

It is therefore now considered by the court that the plaintiff, Joseph T. Thomas, recover against the defendant, the county of Scotland, the sum of eleven thousand five hundred and fifty-one dollars and forty-nine cents, ($11,551.49,) the amount so as aforesaid found to be due by

the court, and also the costs in this behalf expended, and that execution be issued therefor.

And afterwards, at said March term, A. D. 1874, of said circuit court the following further proceedings were had in this cause on Saturday, the 6th day of June, A. D. 1874, to wit:

282 JOSEPH T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

On motion of defendant's attorney, leave is granted said defendant to file its bill of exception herein on or before the first day of July next.

And afterwards, in vacation of said circuit court, the following further proceedings were had in this cause on Monday, the 22d day of June, A. D. 1874, to wit:

JOSEPH T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day comes the defendant, by its attorney, and presents a writ of error to reverse the judgment herein before rendered, and a citation directed to the plaintiff, citing and admonishing him to appear at a Supreme Court of the United States at Washington, on the second Monday of October next; whereupon said writ of error is allowed, and the citation signed by the honorable Samuel Treat, one of the judges of this court.

And afterwards, in vacation of said circuit court, the following further proceedings were had in this cause on Thursday, the 25th day of June, A. D. 1874, to wit:

283 JOSEPH T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day comes the defendant, by its attorney, and presents its bill of exception herein, which is ordered to be filed and made a part of the record herein.

The bill of exceptions filed as aforesaid is in the words and figures following, to wit:

Bill of exceptions.

JOSEPH THOMAS, PLFF.,
vs.
THE COUNTY OF SCOTLAND, DEFT. }

United States circuit court eastern district of Missouri, March term, 1874.

Be it remembered that, the above-entitled cause coming on to be heard on the demurrer to the petition of plaintiff filed herein, the following stipulation in regard to an election by the voters of Scotland County was agreed to be submitted to the court, and to be taken and considered

by the court as facts admitted by the pleadings, and to be considered by the court in determining the questions raised by the demurrer.

(The stipulation above referred to is copied on page 277 of this transcript.)

It was further agreed by the plaintiff and defendant that the following articles of consolidation between the Iowa Southern Railroad Co. and the Alexandria and Nebraska City R. R. Company should be considered as a part of the petition in the cause, and taken and considered by the court as a fact admitted in determining the questions of law raised by the demurrer.

284 *Articles of consolidation between the Iowa & Southern R'way Co. and the Alexandria & Nebraska City R. R. Co.*

ARTICLES OF CONSOLIDATION.

Articles of consolidation made and entered into this twenty-sixth day of March, in the year of our Lord one thousand eight hundred and seventy, between the Iowa Southern Railway Company, a corporation existing under the laws of the State of Iowa, and the Alexandria and Nebraska City Railroad Company, a corporation existing under the laws of the State of Missouri.

Whereas the railways respectively owned by the said companies above named constitute a continuous line of railway for the passage of cars from the city of Alexandria, in the State of Missouri, to a point on the Missouri River, in Iowa, near Nebraska City, in the State of Nebraska, and the directors of the said companies, upon mature consideration, have determined that the interests of the respective stockholders of said companies and the public interests and convenience will be greatly promoted by the union of their several roads into one road, and by the consolidation of the respective stocks of said companies into one common consolidated stock.

And whereas the said companies are authorized by acts of the legislatures of the said States of Iowa and Missouri to effect such union of their respective roads, and to form by consolidation of their respective rights and franchises one company, and have agreed so to do upon the terms and conditions hereinafter mentioned and contained:

Now, therefore, this agreement made by and between the corporations above named, parties hereto, under and by virtue of the authority
285 conferred upon them by the laws of the said several States, witnesseth: That the said Iowa Southern Railway Company and the said Alexandria and Nebraska City Railroad Company do agree, and each for itself doth severally agree, that the said companies shall be consolidated into and form one corporation, under the name and style of the Missouri, Iowa and Nebraska Railway Company; and in pursuance of the said acts of the legislatures of the said States of Iowa and Missouri the said parties hereto do hereby prescribe the following terms and conditions of the said consolidation, and do respectively agree thereto, and to the mode of carrying the same into effect as herein provided for.

ARTICLE 1ST.

The directors of said Missouri, Iowa and Nebraska Railway Company shall be for the present thirteen in number, which said number may, at any future election held by the stockholders, by a resolution first passed

by a two-third vote of said stockholders, be reduced to nine in number, all of whom said directors shall be stockholders in the corporation. The following-named persons shall constitute the first board of directors of said Missouri, Iowa and Nebraska Railway Company: James Fitzkenny, Geo. M. Ochiltree, E. Pratt Buell, Peter W. Plantz, Enoch Hinckley, William Bradley, S. A. Dickey, C. H. Howell, John A. Talbot, Jacob Kummel, C. W. Bowen, James A. Breazeale and F. M. Drake, and shall hold their offices until the first Monday in January,
286 A. D. 1871, as provided, and in accordance with the provisions of this article.

ARTICLE 2D.

Said directors shall, at their first meeting after their election, elect a president and vice-president from their own number, and shall also then, or as soon thereafter as convenient, elect or appoint a secretary, treasurer, and superintendent of said company, and provide for the appointment of such other officers, engineers, clerks, agents, assistants, and other employees as they shall from time to time find necessary for the proper transaction of the business of said company.

ARTICLE 3D.

The annual election of directors shall be held on the first Monday of January of each year, at Centerville, Iowa; provided, if such election be not held as aforesaid, it may be held at any subsequent period, of which three weeks' notice shall be given in two newspapers on the line of said road, one of which shall be published at Centerville, Iowa, or wherever the principal place of business may at the time of said publication be, and the other in Missouri, unless said principal place of business should be in Missouri, in which case the publication should be in Iowa. The persons receiving the highest number of votes shall be directors to succeed those whose term of office shall have expired.

ARTICLE 4TH.

Each stockholder shall be entitled to vote, in person or by proxy duly authorized, one vote for each share of stock he may own at the commencement of each election.

287 ARTICLE 5TH.

After the consolidation herein provided for is perfected, stockholders in said consolidated company only by surrender and exchange of their certificates in their several companies shall be entitled to vote at any meeting of the stockholders of said consolidated company.

ARTICLE 6TH.

The capital stock of said Missouri, Iowa and Nebraska Railway Company shall be thirteen millions of dollars, to be divided into one hundred and thirty thousand shares of one hundred dollars each, and the directors may increase the capital stock thereof when necessary upon the approval of the majority of the stockholders of said consolidated company.

ARTICLE 7TH.

The private property of the stockholders is hereby exempted from liability for the debts of the company, except to the amount of the unpaid instalments of any stockholder. The stock of said corporation shall be transferable under such rules and regulations as may be deemed expedient by the board of directors.

ARTICLE 8TH.

Upon the surrender of the present certificates of stock now issued and outstanding of either of the companies herein consolidated, a like amount of stock at par of the consolidated company shall without delay, af'er its consolidation, be issued in return therefor to the holders thereof.

288 ARTICLE 9TH.

In all cases in which subscriptions or agreements with either of said companies, parties hereto, for the stock of either of said companies have been heretofore made by any person or persons, or bodies politic or corporate, and said subscriptions or contracts of stock yet remain unpaid or unperformed, either in whole or in part, the stock of said consolidated company shall, upon payment of said subscriptions or performance of said contracts, be issued to the said subscribers in the same manner as the several companies, parties hereto, would have been bound to issue their stock, respectively, had not this consolidation taken effect.

ARTICLE 10TH.

All and singular the rights and franchises, privileges, real estate, depot grounds, rights of way, road-bed, railway, iron rails, engines, cars, machinery, rolling stock, debts, dues, demands, choses in action, and property of every description, name, and nature, in which the said Iowa Southern Railway Company and the Alexandria and Nebraska City Railroad Company have respectively any rights, title, or interest, whether in possession, reversion, or remainder, with the appurtenances upon the ratification of these articles of consolidation as herein and by law provided for, and from thenceforth shall be held, owned, and controlled by the said Missouri, Iowa and Nebraska Railway Company, their successors and assigns, as fully and completely to all intents and pur-
289 poses as the said several companies do or can now hold, own, use, or control the same, and no further conveyance or assurance shall be required for the full and complete vesting thereof in said Missouri, Iowa and Nebraska Railway Company.

ARTICLE 11TH.

All the books, vouchers, records, muniments of title, and other documents pertaining to the business or property of the said several companies, parties hereto, shall be placed in the office of the secretary of said consolidated company, and the said books, records, vouchers, and papers shall be subject to the proper examination and inspection of all persons interested therein, who shall have the same access thereto as if the same had remained in the office of the original companies.

ARTICLE 12TH.

The principal place of transacting the business of the consolidated company shall be at Centerville, Appanoose County, Iowa, which place of business may be changed to any other point on said line at any time in accordance with the provisions of article sixteen of the articles of incorporation of said Iowa Southern Railway Company.

ARTICLE 13TH.

The line of the consolidated railway shall extend continuously from the city of Alexandria, Clark County, Missouri, on the Mississippi River, its eastern terminus, as the same is now located and partially
290 graded, to Centerville, in Appanoose County, Iowa; thence west to the Missouri River, as contemplated by the charter of the Iowa Southern Railway Company; and the said consolidated company shall complete and put in operation said line of railway from the city of Alexandria, Missouri, to Centerville, Iowa, and from thence westward to the Missouri River, as soon as practicable, and shall continue to maintain and operate said railway as a first-class road at, from, and between the said termini throughout its entire length during the corporate existence of the said consolidated company.

ARTICLE 14TH.

The said consolidated company shall assume and fulfill and finally settle, pay, and dismiss all debts owing and all contracts and agreements or other obligations entered into by either of said companies of every kind and nature, legal and equitable.

ARTICLE 15TH.

In order to facilitate the settlement of all claims, debts, or obligations of either of the companies parties hereto, and properly protect the interests of all parties interested, it is agreed that an auditing committee from each of said companies parties hereto, consisting of three members each, shall be appointed to audit and allow all just claims against these said respective companies, or such amounts thereof as they shall find just and equitable. The said committee for the auditing of the claims against the Iowa Southern Railway Company shall consist of C. W.
291 Bowen, Jacob Rummell, and John A. Talbot; and the said committee for auditing of the claims of the Alexandria and Nebraska City Railroad Company shall consist of James Fitzhenry, Geo. M. Ochiltree, and Enoch Hinckley.

ARTICLE 16TH.

The consolidated company, in order to raise money necessary to construct, complete, equip and operate the line of railway formed by the consolidation and every part thereof, shall have the right and power to borrow money to an amount not exceeding two-thirds of its capital stock, and to issue the bonds of the consolidated company therefor and to secure the payment of the same by a first mortgage or deed of trust on all the property, rights, and franchises of the said consolidation company, lying between the Mississippi and Missouri River, in the States of Missouri and Iowa.

ARTICLE 17TH.

It is agreed that these articles of consolidation shall be submitted to the stockholders of each of said companies parties thereto, at a meeting thereof, called separately for the purpose of taking the same into consideration. Due notice of the time and place of such meeting and the object thereof shall be given; the time of such meeting of the stockholders of the Iowa Southern Railway Company, shall be on the 23d day of April, A. D. 1870, and the place the town of Centerville, Appanoose County, Iowa; the *term* of such meeting of the stockholders of
292 said Alexandria and Nebraska City Railroad Company, shall be on the 2d day of May, A. D. 1870; the place the city of Alexandria, in the State of Missouri.

ARTICLE 18TH.

In witness whereof the corporate seals of the respective companies parties to this agreement, have been hereunto affixed in quadruplicate by order and in the presence of the directors of each of said companies duly convened, a quorum of each of the said boards of directors being so present and assenting thereto, and is attested by their respective signatures hereto on behalf and by order of said boards of directors, and the presidents of each of said companies have also, at the same time and in behalf of the said respective companies, hereto affixed their names in virtue of resolutions of said several board of directors passed at respective meetings thereof.

IOWA SOUTHERN RAILWAY COMPANY.
By F. M. DRAKE, *President.*
[SEAL.] Attest: C. W. BOWEN, *Secretary.*
F. M. DRAKE,
C. W. BOWEN,
WM. BRADLER,
J. A. BREAZEALE,
JOHN A. TALBOT,
S. DICKEY,
JACOB RUMMEL,
H. HOWELL,
Directors of the Iowa Southern Railway Company.
ALEXANDRIA AND NEBRASKA CITY R. R. CO.
By E. PRATT BUELL, *President.*
[SEAL.] Attest: F. W. PLANTZ, *Secretary.*
293 E. PRATT BUELL,
E. HINCKLEY,
G. M. OCHILTREE,
S. M. YOUNG,
F. W. PLANTZ,
Directors of the Alexandria and Nebraska City Railroad Company.

I, C. W. Bowen, secretary of the Iowa Southern Railway Company, do hereby certify that in pursuance of notices published in the Loyal Citizen, a newspaper published in the town of Centerville, Appanoose County, Iowa, the principal office and place of business of said company, also in a newspaper published in the town of Bloomfield, in the county of Davis and State of Iowa, through which counties the line of said company is established and the road is to run, the stockholders of said company met at said companies office, in the town of Centerville aforesaid, on Saturday,

the 23d day of April, 1870, to take into consideration the within foregoing agreement, and they then and there proceeded to vote by ballot for the adoption or rejection of said agreement; that at said meeting, 8,755 votes were cast, each vote representing one share of stock; that all of the 8,755 votes so cast were cast in favor of the adoption of said agreement, and that none of said votes were cast against its adoption, and that the entire number of shares of stock of said company is 10,280, and that therefore the stock so voted as aforesaid in favor of said agreement is more than four-fifths of the entire stock subscribed of the company.

294 In witness whereof I have hereunto set my hand and affixed the seal of the said company, at Centerville, Iowa, this 23d day of April, A. D. 1870.

[SEAL.]

C. W. BOWEN,
Secretary of the Iowa Southern Railway Company.

I, F. W. Plantz, secretary of the Alexandria and Nebraska City Railroad Company, do hereby certify that in pursuance of the notice published in the Alexandria Commercial, a newspaper printed and published in the city of Alexandria, Clark County, in the State of Missouri, (the principal office and place of business of said company being in said city of Alexandria,) the stockholders of said company met at the Pearl Street House, in said city of Alexandria, on Monday, the 2d day of May, 1870, to take into consideration the within and foregoing agreement, and they then and there proceeded to vote by ballot for the approval or disapproval of said agreement; that at said meeting 4,873 votes were cast, each vote representing one share of stock; that all of the 4,873 votes so cast were cast in favor of the approval and adoption of said agreement, and that none of said votes were cast against its approval and adoption, and that the entire number of shares of stock of said company does not exceed 6,750; and that therefore the stock so voted as aforesaid in favor of said agreement is more than two-thirds of the entire stock of the company.

295 And I further certify that, on the same day and immediately after the meeting of the said stockholders had adjourned, the board of directors of the Alexandria and Nebraska City Railroad Company met as required by law to carry the said vote and agreement into effect, and did adopt the name of the "Missouri, Iowa and Nebraska Railway Company," as the corporate name for the consolidated company; and did call in the certificates of stock outstanding in said Alexandria and Nebraska City Railroad Company, to be exchanged for stock in the said new company, by ordering and directing notice to be given to holders of said outstanding certificates of stock, to present the same to F. W. Plantz, the secretary of said Alexandria & Nebraska City Railroad Company, to be so exchanged on or before the first day of July, 1870.

In witness whereof I have hereunto set my hand and affixed the seal of the Alexandria & Nebraska City Railroad Company this 3d day of May, A. D. 1870.

[SEAL.]

F. W. PLANTZ,
Secretary of the Alexandria & Nebraska City Railroad Company.

OFFICE OF SECRETARY OF STATE,
City of Jefferson, Missouri:

I, Eugene F. Weigel, secretary of state of the State of Missouri, do hereby certify that the annexed pages contain a true, complete, and full

copy of articles of consolidation of the Iowa Southern Railway Company and the Alexandria and Nebraska City Railroad Company,
296 under the name and style of the "Missouri, Iowa and Nebraska Railway Company," filed May 11, 1870, as appears by comparing the same with the original roll of said articles now on file, as the law directs, in this office.

In testimony whereof I have hereunto set my hand and affixed my official seal. Done at office this 13th day of March, A. D. eighteen hundred and seventy-three.

[SEAL.]

EUGENE F. WEIGEL,
Secretary of State.
By CHAS. SCHACKE,
Chief Clerk.

It was further agreed between the plaintiff and defendant that the following orders of the county court of Scotland County should be taken as facts admitted, and should be considered by the court in determining the questions of law raised by the demurrer.

Orders of county court of Scotland County.

STATE OF MISSOURI,
County of Scotland, ss:

At a meeting of the Scotland County court, begun and held for said county of Scotland, on the 2d Monday in August, 1870, and on the 9th day of said month, the following, among other proceedings, was had, to wit:

At this day a petition was presented to the court signed by Charles Mety, H. H. Downing, H. H. Montgomery, David Gwynne, R. P. Wayland, and divers other persons, to the number of thirteen hundred and sixty-five, tax-payers and residents of said county, praying the court to subscribe the sum of two hundred thousand dollars stock to the
297 Missouri, Iowa and Nebraska Railway Company, payable in county bonds, due twenty-five years from date, bearing interest at the rate of eight per cent. per annum payable annually, commencing from date of compliance of contract on the part of the company of said railroad. Now, therefore, in consideration of the prayer of said petitioners and in pursuance and by virtue of law and the power therein given to the court to subscribe stock in said railway company,

It is ordered by the court that the County of Scotland, in the State of Missouri, do hereby subscribe the sum of two hundred thousand dollars to the capital stock of the Missouri, Iowa and Nebraska Railway Company, payable in the bonds of said county of the denomination of one thousand dollars, each due twenty-five years from the date of issue and bearing eight per cent. interest per annum, the interest payable annually at the city of New York on the terms and conditions following, to wit, one hundred thousand dollars of said bonds to be delivered to said railway company when said road shall have been graded, bridged, and tied, the track laid and cars running thereon from Alexandria, Missouri, to a permament depot located within one-half mile of the court-house in Memphis, in said county; and the remaining one hundred thousand dollars of said bonds to be delivered to said company when said company shall have thus completed their said line of road from Memphis to the west or north line of said county, and the cars are running
298 over the same through said county, (provided the said road shall

be so located as to miss the west line and strike the north line of said county, it shall do so at a point not exceeding four miles east of the northwest corner of said county.)

Said railroad shall be so built and the cars running thereon, as aforesaid, within two years from the date of this order; otherwise said subscription shall be null and void; and it is ordered further that Henry M. Gorin be and he is hereby appointed agent for said County of Scotland to subscribe the stock of said county on the books of said company, to represent said county at the meetings of the stockholders of said company, to cast the vote of said county and to receive her dividends. And in order that the interests of the people may be fully guarded the court doth appoint as trustee Charles Mety, of said county, whose duty it shall be to receive from the clerk of county court of Scotland County aforesaid the above-mentioned bonds, as soon as the same are issued, and to have custody of the same, and as soon as the said railway company shall have complied with the stipulations above set fourth the said trustee shall deliver the aforesaid bonds to the treasurer or other authorized agent of said railway company, and shall, at the same time, receive from said treasurer or other agent of said company an equal amount in certificates of stock of the said railway company, which said certificates of stock the said trustee shall deposit in the hands
299 of the treasurer of said County of Scotland, taking his receipt for the same; which receipt, together with a written report of his action, shall be presented to the county court at the next term thereafter, and that said agent or trustee shall give bond in the sum of three hundred thousand dollars to the said County of Scotland, with security, to be approved by the county court of said county, for the safe-keeping of said bonds and the faithful performance of said trust.

It is further ordered by the court that the county attorney for said county shall proceed to have said bonds printed and lithographed, and that the presiding justice of the county court of said county shall sign the same, and the clerk of the county court of said county shall make the proper attestation of his signature, and that said bonds shall have annual coupons attached; and the trustee aforesaid shall, when he delivers said bonds to said railway company, detach any or all coupons for interest that may have past maturity, and cancel and return to the treasurer of said county, when his report, as aforesaid, is made, and shall enter upon the next maturing coupon on said bonds the date of delivery to said company, in order that said company shall receive interest only from the date they are entitled to receive said bonds.

It is further provided that said railway company shall pay all the expenses of lithographing and printing of said bonds.

(Signed) WILLIAM DAWSON,
President.

300 And afterwards, to wit, on the 27th day of March, 1871, at a county court begun and held for said of Scotland, among other the following proceedings were had, to wit:

"Ordered that the bond filed by Charles Mety, as trustee for the County of Scotland, in the matter of the subscription to the Missouri, Iowa and Nebraska Railway Company, be and the same is hereby approved.

(Signed) "WILLIAM DAWSON,
"*President.*"

And afterwards, to wit, on the 25th day of Sept., 1871, at a county

court begun and held for said county of Scotland, further proceedings were had as follows, to wit:

"At this day comes Charles Mety, trustee for the County of Scotland, in the matter of the subscription of the county to the Missouri, Iowa and Nebraska Railway Company, and makes his report, stating that the road was completed to the town of Memphis, and the cars running thereon to a permanent depot in the said town of Memphis, and that he had delivered to an authorized agent of said company the sum of one hundred thousand dollars in the bonds of said county, and received a certificate of stock from said company for the same, and turned the same over to the treasurer of said County of Scotland; which report being seen and examined by the court is approved and ordered to be filed.

(Signed) "WILLIAM DAWSON,
"*President.*"

And afterwards, to wit, on the 11th day of December, 1871, at
301 a county court begun and held for said county of Scotland, further proceedings were has as follows, to wit:

"Ordered that so much of the order of this court made heretofore, to wit, at the August term of this court, A. D. 1870, (which order provided for the issue of two hundred thousand dollars of the bonds of said County of Scotland to the Missouri, Iowa and Nebraska Railway Company, upon the terms and conditions specified in said order,) as is embraced in the following words, to wit: 'And the remaining one hundred thousand dollars of said bonds to be delivered to said company, when said company shall have completed their said line of railroad from Memphis to the west or north line of said county, and the cars are running over the same through said county, (provided said railroad shall be so located as to miss the west line and strike the north line of said county, it shall do so at a point not exceeding four miles east of the northwest corner of said county,) said railroad shall be so built, and the cars so running thereon, as aforesaid, within two years from the date of this order,' be so far modified as to authorize and direct Charles Mety, esq., trustee for said county, nominated and appointed in said order of this court, and said Charles Mety, trustee, is hereby authorized, empowered, and directed, upon full compliance by the said Missouri, Iowa and Nebraska Railway Company of the terms and stipulations hereinafter set fourth, to surrender immediately to said Missouri, Iowa and Nebraska Railway Company, or their duly authorized agent for that purpose, the one hundred thousand dollars of the bonds of
302 Scotland County, aforesaid, provided for and issued to said Charles Mety, as trustee, under and by virtue of the terms of the order of this court heretofore made in the premises as aforesaid, and upon the following express conditions, that is to say: the said Missouri, Iowa and Nebraska Railroad Company shall to said Charles Mety, esq., trustee as aforesaid, upon receiving said bonds as aforesaid, a good and sufficient receipt for the same, and shall furthermore deliver to him, the said Charles Mety, esq., trustee, a good and sufficient bond of indemnification to the said Charles Mety, trustee, and to the said County of Scotland, to the acceptance, the said Mety; the conditions of which said obligation shall be that—

"1st. The said Charles Mety, trustee, shall, before issuing said one hundred thousand dollars of said bonds, or any of them, cancel and detach from each of said bonds, so to be delivered, the coupons to each

of said bonds attached for all interest due or to become due on said bonds, and each of them to, and on the 31st day of December, A. D. 1871 and said bonds shall only be so surrendered and transferred by said Charles Mety, trustee, to said Missouri, Iowa and Nebraska Railway Company, after said coupons for the interest thereon for year 1871 have been so detached from them, and each of them, as aforesaid.

"2d. That the said Missouri, Iowa & Nebraska Railway Company shall, by the 31st day of December, 1871, complete their said railway to the western boundary line of said county of Scotland, have the
303 same bridged, tied, the iron laid, and the cars running thereon to that point, according to the provisions and conditions of the order of this court heretofore made as aforesaid; and furthermore, if said Missouri, Iowa and Nebraska Railway Company shall not have so as aforesaid completed their railroad and the cars running thereon to said western boundary line of Scotland County by the said 31st day of December, A. D. 1871, then and in that case the said Missouri, Iowa and Nebraska Railway Company are to make all necessary provisions for the interest then and thereafter accruing upon said one hundred thousand dollars of bonds, so to be issued to them as aforesaid, from and after the first day of January, A. D. 1872, and until such time as said railroad shall be so completed and the cars running thereon to the said western boundary-line of said county as is provided in said order of this court heretofore made in the premises; to the end that in no event shall said County of Scotland, or said Charles Mety, trustee, become responsible for interest on said one hundred thousand dollars of bonds, until the said railroad shall be completed and the cars running thereon to the said western boundary-line of said county of Scotland.

3d. The said Missouri, Iowa and Nebraska Railway Company shall pay or cause to be paid, at maturity, the interest now due or which shall become due on the bonds heretofore issued by said County of Scotland to said Missouri, Iowa and Nebraska Railway Company on the
304 31st day of December, 1871, at the city of New York, and shall accept therefor and in discharge thereof the warrants of this court, drawn on the county treasurer, payable when, and as requisite funds shall be in the treasury of said county applicable to the payment of the same; and when said interest has been so paid as aforesaid, and said railroad company shall receive said warrants in payment thereof, the coupons for such interest so paid off and discharged shall all be cancelled, and returned to the clerk of this court, who will receipt for and file the same.

"4th. And the said Missouri, Iowa and Nebraska Railway Company shall furthermore guarantee, so far as may be necessary, that it will protect the interests of the said County of Scotland and State of Missouri, and said Charles Mety, trustee, as aforesaid, in accordance with the order of this court heretofore made in the premises, then said bond of indemnification shall be void.

"5th. That Charles Mety, trustee, make report of his proceedings as such trustee in the premises, to this court, as soon as the provisions of this order be complied with, and that he transmit with said report such receipts and other evidences as he may have in his possession, of his action in the premises.

(Signed) "WILLIAM DAWSON,
"*President.*"

And afterwards, to wit, on the 12th day of Dec., 1871, at a county

court begun and held for said county of Scotland, among other, the following proceedings were had, to wit:

"At this day comes Charles Mety, trustee for the County of
305 Scotland in the matter of the subscription to the Missouri, Iowa and Nebraska Railway Company, and makes his report as follows, to wit:

'To the hon. the county court of Scotland County:

'In compliance with your order of the 11th day of December, A. D. 1871, I have delivered the remaining one hundred bonds of one thousand dollars each, to the Missouri, Iowa and Nebraska Railway Company, and received in return on' thousand shares of the capital stock of said railway company; which certificate of shares I have delivered to J. S. Fullerton, treasurer of Scotland County, and taken the annexed receipt from him. I have also deposited with the clerk of the county court, as shown by his receipt, one hundred coupons for interest of 1871, printed in blank; said coupons are numbered from #101 to #200, inclusive.'

"Which report, being seen and examined by the court, is approved, and it is ordered by the court that said report, together with the receipts, be filed, and the said coupons being produced in court, it is ordered that the same be cancelled and destroyed.

(Signed) "WILLIAM DAWSON,
"*President.*"

STATE OF MISSOURI,
County of Scotland, ss:

I, Sterling McDonold, clerk of the county court within and for said county of Scotland, do hereby certify that the foregoing pages contain a true and complete copy of the county court record made in sub-
306 scribing stock of the county to the Missouri, Iowa and Nebraska Railway; and also of all orders of said court in relation thereto, made at the several dates therein named, as fully as the same appears of record in my office.

In witness whereof I have hereto set my hand and affixed the seal of said court at office in Memphis, this 15th day of Sept., 1873.

[SEAL.] STERLING McDONOLD, *Clerk.*

Thereupon the court, after hearing the arguments of counsel on the demurrer, overruled the same; and, to the judgment and opinion of the court in overruling said demurrer, the defendant at the time excepted, and prays that this its bill of exceptions may be signed, sealed, and made a part of the record, which is done.

JOHN F. DILLON. [SEAL.]

And afterwards, in vacation of said circuit court, the following proceedings were had in this cause, on Friday, the 3d day of July, A. D. 1874, to wit:

JOSEPH T. THOMAS, PLAINTIFF,
vs.
COUNTY OF SCOTLAND, DEFENDANT. } Petition.

This day comes the defendant by its attorney, and presents its bond of appeal herein, with sureties, and duly executed as required by
307 law; whereupon said bond is approved by the honorable Samuel Treat, one of the judges of this court, and the same is ordered to

be filed and made a part of the record herein. It is further ordered by said judge that a supersedeas be granted, staying all further proceedings upon the judgment hereinbefore rendered.

The bond filed as aforesaid is in the words & figures following, to wit:

Bond of appeal.

Know all men by these presents that we, the County of Scotland, in the State of Missouri, as principal, and Levi J. Wagner and Henry H. Downing, as sureties, are held and firmly bound unto Joseph T. Thomas in the full and just sum of fifteen thousand dollars, to be paid to the said Joseph T. Thomas, his heirs, executors, administrators, or assigns, to which payment, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally by these presents, sealed with our seals, and dated this 3d day of July, in the year of our Lord one thousand eight hundred and seventy-four. Whereas, lately, at the March term, A. D. 1874, of the circuit court of the United States for the eastern district of Missouri, in a suit depending in said court between Joseph T. Thomas, plaintiff, and the County of Scotland, in the State of Missouri, defendant, judgment was rendered against the said County of Scotland, and the said County of Scotland having obtained a writ of error of the said court to reverse the judgment in the aforesaid suit, and a citation directed to the said
308 Joseph T. Thomas, citing and admonishing him to be and appear at a Supreme Court of the United States, to be holden at Washington the second Monday of October next:

Now, the condition of the above obligation is such, that if the said County of Scotland shall prosecute said writ to effect, and answer all damages and costs if it fail to make good its plea, then the above obligation to be void; else to remain in full force and virtue.

Sealed and delivered in presence of—

COUNTY OF SCOTLAND, [SEAL.]
By DAVID B. COOPER. [SEAL.]
LEVI J. WAGNER. [SEAL.]
HENRY H. DOWNING. [SEAL.]

Approved by—
SAMUEL TREAT, *Judge.*

STATE OF MISSOURI,
County of Scotland, ss:

In vacation of the county court of said Scotland County, July 1st, 1874, before Hon. John C. Collins and Hon. David B. Cooper, two of the justices of said county, the following proceedings were had, viz:

"Ordered by the court that David B. Cooper be and is hereby authorized to sign the name of Scotland County as principal in the bond for appeal by said county from the decision of the United States circuit court to the Supreme Court of the United States in the cause lately pending in said circuit court, entitled Joseph T. Thomas vs. Scotland County."

309 I, Sterling McDonold, clerk of the county court of Scotland County, Missouri, certify that the above is a full, true, and complete copy of an order made at the date aforesaid by said court in vacation, as the same appears of record in my office, as witness my hand

as clerk with the seal of said court hereto attached at office in Memphis, Missouri, this 2d day of July, 1874.

[SEAL.] STERLING McDONOLD, *Clerk*,
By MILO COWAN, *Deputy*.

310 UNITED STATES OF AMERICA,
Circuit Court for the Eastern District of Missouri, ss:

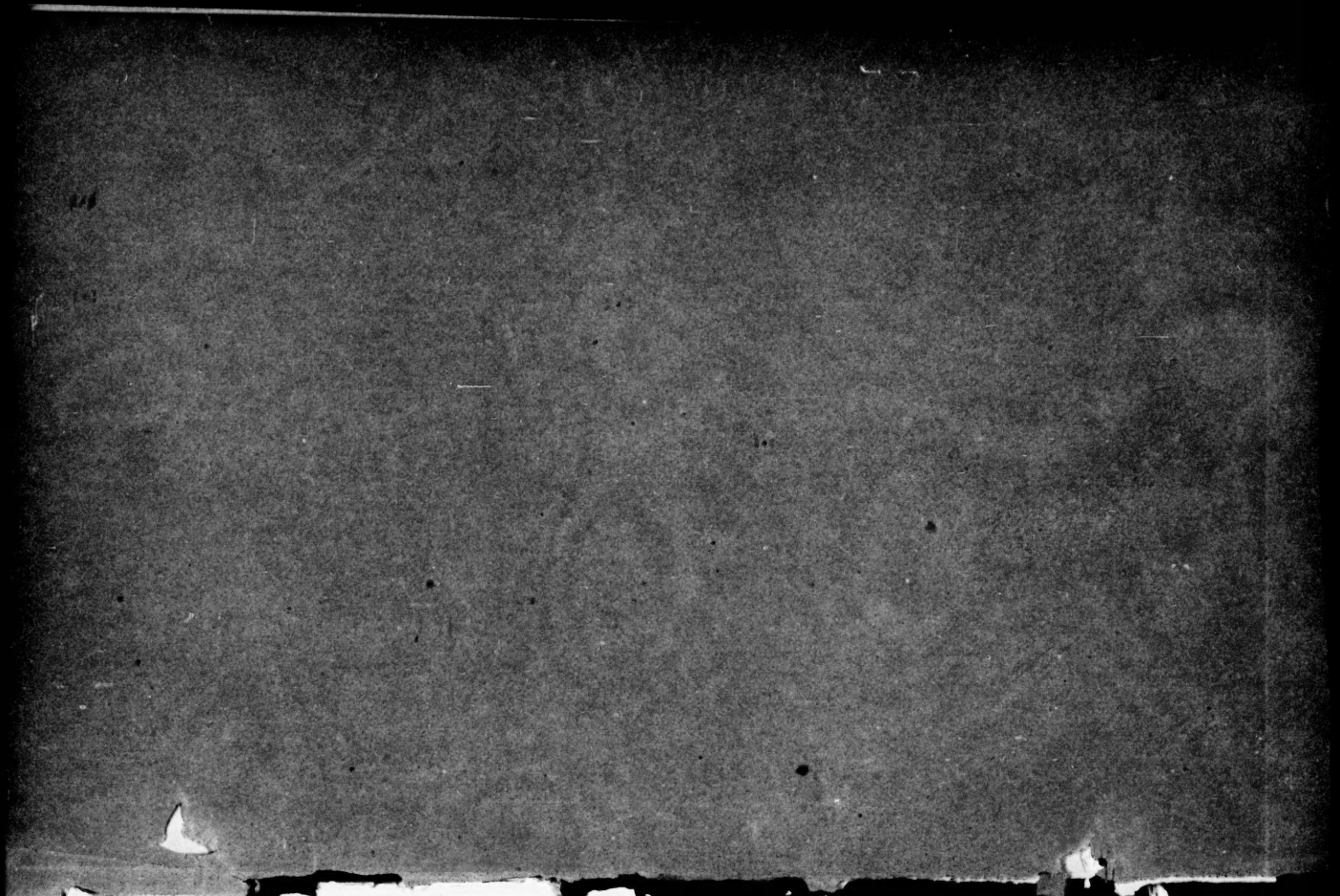
I, Austin Drake, clerk of the circuit court of the United States in and for the eastern district of Missouri, do hereby certify the writing hereto annexed to be a transcript of the record and proceedings in case of Joseph T. Thomas against the County of Scotland, in the State of Missouri, as fully as the same remain on file and of record in said case, in my office.

In witness whereof I hereunto subscribe my name, and affix the seal of said court, at office in the city of St. Louis, in said district, this thirteenth day of October, in the year of our Lord eighteen hundred and seventy-four.

[SEAL.] AUSTIN DRAKE, *Clerk*,
By H. C. GEISBERG, *Deputy*.

(Indorsed:) United States circuit court, eastern district of Missouri. Joseph T. Thomas against the County of Scotland, in the State of Mo. Duly-certified transcript of the record and proceedings in the above-entitled cause.

(Indorsement on cover:) No. 190. The County of Scotland, plaintiff in error, vs. Joseph T. Thomas. E. Missouri C. C. U. S. Filed 17th October, 1874.



IN THE

Supreme Court of the United States.

THE COUNTY OF SCOTLAND, PLAINTIFF IN ERROR,

vs.

JOSEPH J. THOMAS, DEFENDANT IN ERROR.

Error to the Circuit Court of the United States for the Eastern District of Missouri.

JAS. O. BROADHEAD,
Atty. for Plaintiff in Error.

JNO. J. DALY & CO, Printers. 213 N. Third Street, St. Louis.

IN THE

Supreme Court of the United States.

THE COUNTY OF SCOTLAND, PLAINTIFF IN ERROR,

vs.

JOSEPH J. THOMAS, DEFENDANT IN ERROR.

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STATEMENT OF THE CASE.

This was a suit brought by Joseph T. Thomas, who claims to be a citizen of the State of New York, against the County of Scotland, in the State of Missouri, upon certain coupons attached to bonds, purporting to have been issued by the County of Scotland, a political subdivision of the state, amounting in the aggregate, with interest thereon at the time of the judgment, to the sum of eleven thousand five hundred and fifty-one and forty-nine one-hundred dollars ($11,551.49), which is the amount in controversy in this action.

The declaration in the case avers:

That by an act of the General Assembly of the State of Missouri, entitled "An Act to Incorporate the Alexandria

and Bloomfield Railroad Company," approved Feb. 9th, 1857, the said company was incorporated, and thereafter was duly organized under said act of incorporation; that the 10th section of said act of incorporation provides as follows:

"The said company shall in all things be subject to the same restrictions, and entitled to all the privileges, rights and immunities which were granted to the North Missouri Railroad Company, by an act, entitled 'An Act to Incorporate the North Missouri Railroad Company,' approved March 3d, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted;" that the said act of March 3d, 1851, and the 14th section thereof, contains the following provision, to-wit:

"It shall be lawful for the County Court of any county, in which any part of the route of said railroad may be, to subscribe to the stock of said company (North Missouri Railroad Co.), and it may invest its funds in the stock of said company, and issue the bonds of such county, to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interest and credit of the county."

It is further averred, that a part of the route of the road of the "Alexandria and Bloomfield Railroad Company" was within the county of Scotland, as designated in the act of incorporation.

That in pursuance of an act of the General Assembly of Missouri, authorizing the Alexandria and Bloomfield Railroad Company to change its name, and to extend its road from Luray, in Clark County, Missouri, to Nebraska City, in Nebraska Territory, which act was approved February 19th, 1866, the said company did change its corporate name to that of the "Alexandria and Nebraska City Railroad."

It was further averred, that, in pursuance and by authority of the general laws of the States of Missouri and Iowa, the "Alexandria and Nebraska City Railroad" entered into articles of consolidation with the "Iowa Southern Railway Company," of the State of Iowa, a corporation incorporated and organized under the laws of the State of Iowa, whereby the two corporations were merged and consolidated into one company, under the name of the "Missouri, Iowa and Nebraska Railway Company."

That the County Court of the county of Scotland, in the year 1870, and prior to the 1st of September, A.D. 1870, in pursuance of the powers granted in the act incorporating the Alexandria and Bloomfield Railroad Company, subscribed to the capital stock of the Missouri, Iowa and Nebraska Railway Company in the sum of $200,000, for two thousand shares of said stock, the same being in shares of $100 each; and in payment of said shares issued two hundred bonds of the County of Scotland of $1000 each, dated September 1st, 1870, payable on the 31st of December, A.D. 1895, at the Farmers' Loan and Trust Co., New York, with interest from the 31st of December, A.D. 1870, at the rate of eight per cent. per annum, to the Missouri, Iowa and Nebraska Railway Company or bearer.

That the bonds were in words and figures as follows:

$1,000.] UNITED STATES OF AMERICA. [No. 65.

Eight-per-cent. railroad-bond.

County of Scotland. Twenty-five years.

Know all men by these presents, that the County of Scotland, in the State of Missouri, acknowledges itself indebted to the Missouri, Iowa and Nebraska Railway Company, a corporation existing under and by virtue of the laws of the States of Missouri and Iowa, formed by consolidation of the Alexandria and Nebraska City Railroad Company (formerly Alexandria and Bloomfield Railroad Company) of the State of Missouri, and the Iowa Southern Railway Company of the State of Iowa, in the sum of one thousand dollars, which sum the said county hereby promises to pay to the said Missouri, Iowa and Nebraska Railway Company or bearer, at the Farmers' Loan & Trust Company in New York, on the 31st day of December, A.D. 1895, together with interest thereon from the 31st day of December, 1870, at the rate of eight per cent. per annum, which interest shall be payable annually, in the city of New York, on the 31st day of December in each year, as the same shall become due, on the presentation of the coupons hereto annexed. This bond being issued under and pursuant to an order of the County Court of said Scotland County, for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, as authorized by an act of the General Assembly of the State of Missouri, entitled "An Act to Incorporate the Alexandria and Bloomfield Railroad Company," approved February 9th, 1857.

In testimony whereof the said county of Scotland has executed this bond by the presiding justice of the County

Court of said county, under the order of said Court, signing his name hereto, and the clerk of said Court, under the order thereof, attesting the same, and affixing thereto
14 the seal of said Court. This done at the town of Memphis, in the county of Scotland, in the State of Missouri, this 1st day of September, A.D. 1870.

WILLIAM DAWSON,
Presiding Justice of the County Court of Scotland County, Missouri.

Attest:

{ SCOTLAND COUNTY COURT, MISSOURI, SEAL. }

STERLING McDONOLD,
Clerk of the County Court of Scotland County, Missouri.

To each of which bonds were annexed twenty-five interest coupons, each for the sum of $80, maturing annually for the interest thereon; that these bonds were delivered to the "Missouri, Iowa and Nebraska Railway Company," with the interest coupons attached, in payment of the subscription to the shares of the capital stock of the company, before the 21st of December, A.D. 1871, and that the bonds belonging to the coupons sued on were, before the maturity of the second maturing coupons, together with all the coupons, except the ones first maturing, for value sold and transferred by delivery to the plaintiff, who is the holder and owner thereof; that the plaintiff caused the coupons sued on to be presented for payment at maturity, and payment was not made.

There is a count on each coupon, and the amount of judgment claimed is $10,640, with interest.

The defendant demurred to the declaration; but before the demurrer was submitted, it was admitted and stipulated between the parties, that the question of subscribing to the stock of the "Missouri, Iowa and Nebraska Railroad Company" was never submitted to a vote of the qualified voters of Scotland County, at either a general or special election. That this fact might be considered as admitted by the pleadings, and considered by the Court, in determining the questions raised by the demurrer.

It was further agreed that the articles of consolidation between the Iowa Southern Railroad Company and the Alexandria and Nebraska City Railway Company, and also certain orders of the County Court of Scotland County, as contained in the Bill of Exceptions, see page 230 of printed record, should be taken and considered by the Court, as facts admitted in determining the questions raised by the demurrer.

By the articles of consolidation referred to, it was provided (art. 6, page 231 of the record) that the capital stock of the Consolidated Company should be $13,000,000, to be divided into 130,000 shares of $100 each, and that the directors might increase the capital stock when necessary, upon the approval of a majority of the stockholders of the Consolidated Company.

It was further provided, that the line of the consolidated railway should extend from the City of Alexandria, in Missouri, on the Mississippi River, to Centreville, Iowa, thence west to the Missouri River (art. 13, page 233), and that the Consolidated Company should assume and pay all debts owing, and all contracts or agreements entered into by either of the companies, of every kind and nature, legal or

equitable (art. 14, p. 233). The Consolidated Company was also authorized to borrow money to an amount not exceeding two-thirds of its capital stock, to issue bonds, and to secure their payment by mortgage on all the property of both companies.

By the act of the Legislature of Missouri, incorporating the "Alexandria and Bloomfield Railroad Company," and the act amendatory thereof, the company was only authorized to construct a railroad through the State of Missouri to a point on the Missouri River, opposite Nebraska City.

By an act of the General Assembly of Missouri, approved ~~March 24th, 1870~~, ~~see vol. 1, p. 314, of Wagner's Missouri Statutes~~, it was provided: 1864

"§ 56. Any two or more railroad companies in this State, existing under either general or special laws, and owning railroads, constructed wholly or in part, which, when completed and connected will form in the whole or in the main one continuous line of railroad, are hereby authorized to consolidate in the whole or in the main, and form one company, owning and controling such continuous line of road, with all the powers, rights, privileges and immunities, and subject to all the obligations and liabilities to the State, or otherwise, which belonged to or vested upon either of the companies making such consolidation. In order to accomplish such consolidation, the companies interested may enter contract, fixing the terms and condition thereof, which shall first be ratified and approved by a majority in interest of all the stock held in each company or road proposing to consolidate, at a meeting of the stockholders, regularly called for the purpose; or by the approval, in writing, of the persons or parties holding and representing a majority of such

stocks. A certified copy of such articles of agreement, with the corporate name to be assumed by the new company, shall be filed with the Secretary of State, when the consolidation shall be considered duly consummated; and a certified copy from the office of Secretary of State shall be deemed conclusive evidence thereof. The Board of Directors of the several companies may then proceed to carry out such contract, according to its provisions, calling in the certificates of stock then outstanding, in the several companies and roads, and issuing certificates of stock in the new Consolidated Company, under such corporate name as may have been adopted; provided, however, that the foregoing provisions of this section shall not be construed to authorize the consolidation of any railroad companies or roads, except when, by such consolidation, a continuous line of road is secured, running in the whole or in the main, in the same general direction; and, provided, it shall not be lawful for said roads to consolidate, in whole or in part, when, by so doing, it will deprive the public of the benefit of competition between said roads; and in case any such railroad companies shall consolidate, or attempt to consolidate, their roads, contrary to the provisions of this act, such consolidation shall be void; and any person or party aggrieved, whether stockholders or not, may bring action against them in the Circuit Court of any county through which such road may pass, which Court shall have jurisdiction in the case, and power to restrain, by injunction or otherwise: and in case any railroad in this State shall hereafter intersect any such consolidated road, said road or roads shall have the right to run their freight cars, without breaking bulk, upon said consolidated road; and such consolidated road shall transact the business of said

intersecting or connecting road or roads, on fair and reasonable terms, and the same may be enforced by appropriate legislation.

"Before any railroad company shall consolidate their roads, under the provisions of this act, they shall each file with the Secretary of State a resolution accepting the provisions thereof, to be signed by their respective presidents, and attested by their respective secretaries, under the seal of their respective companies, which resolution shall have been passed by the majority of the stock of each, at a meeting of the stockholders thereof, to be called for the purpose of considering the same."

The foregoing is the law under which the articles of consolidation were made between the "Alexandria and Nebraska City Railroad Company," the Missouri corporation, and the "Iowa Southern Railway Company," the Iowa corporation.

The Constitution of the State of Missouri, adopted in 1865, and in full force at the time of this act of consolidation, provides:

"§ 14. The General Assembly shall not authorize any county, city or town, to become a stockholder in, or to loan its credit to, any company, association or corporation, unless two-thirds of the qualified voters of such county, city or town, at a regular or special election to be held therein, shall assent thereto."

See vol. 1, Wagner's Missouri Statutes, p. 62.

The demurrer in this case was overruled by the Court, to which judgment of the Court the defendant excepted, and defendant electing to stand on the demurrer, judgment was rendered in favor of the plaintiff for the sum of $11,551.49, and the case is brought up to this Court by writ of error.

to subscribe to the stock of said company, and it may invest its funds in the stock of said company, and issue the bonds of such county to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interest and credit of the county. Such county court may appoint an agent to represent the county, vote for it, and receive its dividends; and any incorporated city, town, or incorporated company, may subscribe to the stock of said railroad company, and appoint an agent to represent its interests, give its vote, and receive its dividends; and may take proper steps to guard and protect the interests of such city, town, or corporation."

The 10th section of the charter of the Alexandria and Bloomfield reads as follows:

"An Act to Incorporate the Alexandria and Bloomfield Railroad Company:

"§ 10. Said company shall, in all things, be subject to the same restrictions, and entitled to all the *privileges, rights* and *immunities* which *were* granted to the North Missouri Railroad Company, by an act entitled 'An Act to Incorporate the North Missouri Railroad Company,' approved March 3d, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted." Sec. 10, page 95, Sess. acts, 1857.

1. What was there in the act of March 3d, 1851, for this section of the act to operate upon?

§ 7. In passing hills and valleys the company may hold more than one hundred feet.

§ 9. Authorized to condemn land for right of way, and all the proceedings for condemnation in Secs. 9 and 10.

§ 11. Power to build the road along or across any county road, or the streets, or wharves of any town or city, and over any stream or highway; required to provide adequate facilities for crossing streets, etc., and to build bridges across navigable streams sufficiently high, or drawbridge, so that navigation of the stream shall not be obstructed.

§ 12. To construct turnouts, gates, bridges, culverts, toll-houses, depots, warehouses, causeways, and other buildings, machinery and fixtures.

§ 15. At any annual meeting of the company, the Directors shall make out an exhibit of the affairs of the company. One-tenth part of the stockholders may call a meeting.

§ 16. When road is completed, the company shall file a plat in the office of the Secretary of State, and the Legislature may require a statement of the progress of the work, etc.

§ 17. At the end of fifty years the State will be at liberty to purchase the road on valuation, at two years' notice.

§ 19. Providing for punishing criminally any one injuring the road, and also making liable to the company for damages.

§ 21. The stock to be considered personal property; also important provision for holding election of directors, if there has been no election on the day provided by law.

§ 22. The power to receive and hold lands, money, bonds, and also power to mortgage and pledge the same.

These are all important powers and important restrictions, some of which, it is true, might have existed under the general powers and liabilities of a corporation, but the Legislature thought it important to embrace them in the charter, and the same are granted to, and required of, the Alexandria and Bloomfield Railroad.

§ 14 of the charter of the North Missouri Railroad gives the county power to subscribe, but this section is confined solely to the powers and duties of the County Court and County agent; no power given to the company, nor any restriction imposed upon it.

There is nothing in the act showing that the Legislature intended to grant this power to the Court. The power given to the Court in the act to incorporate the North Missouri Railroad is not a privilege, right or *immunity* of the company; it is simply an authority given to the officers of the county to do for, and on behalf of, the people of the county what they could not do without such special authority, and it is incorporated in the charter, because it is a power to subscribe for the stock of this particular road, and to issue bonds to pay the subscription.

In this case, the power of the County Court to issue the bonds is invoked by the plaintiff. The legislative purpose to give this power must be clearly expressed.

II. But this subscription is made to a new company, which was not in existence at the time of the adoption of the Constitution of 1865, but was formed afterwards, and is therefore subject to the inhibitions of that instrument.

At the time of granting the charter of the Alexandria and Bloomfield Railroad Company, it was not authorized to consolidate with any other company. This was not one of its franchises. It might agree with an Iowa company as to the point of its terminus on the State line between Iowa and Missouri, but it could not surrender any of its franchises to another company. It was limited in the extent of its road to the Iowa State line. (See sec. 8.) It was limited in its capital stock to two millions of dollars. (See sec. 2.)

The articles of consolidation propose to form one company by the consolidation of the respective rights and franchises of the two companies, and by that consolidation to form one corporation, under the name and style of the Missouri, Iowa and Nebraska Railway Company.

The place for the annual election of directors, instead of being in Missouri, is to be held at Centreville, Iowa.

The capital stock of this company is fixed at thirteen millions of dollars, with power in the directors to increase the capital stock to an unlimited amount, upon approval of a majority of the stockholders of the Consolidated Company.

The principal place of transacting the business of the company shall be at Centreville, Appanoose County, Iowa.

The line of this consolidated railway shall extend from Alexandria, on the Mississippi river, through the States of Missouri and Iowa, to the Missouri river opposite the State of Nebraska.

The Consolidated Company assumes all the debts, contracts and liabilities of either company.

The Consolidated Company has the right to borrow money and issue bonds to an amount not exceeding two-thirds of its capital stock.

So that the company thus formed by consolidation has new objects, new powers, and new liabilities, not contemplated when the charter of the Alexandria and Bloomfield Railroad Company was passed. And all this new creation is the work of a company formed in pursuance of the provisions of an act of the Legislature of Missouri, adopted after the Constitution went into effect.

"The effect of the consolidation was the dissolution of the three corporations, with property, liability and stockholders, derived from those passing out of existence."

Clearvater vs. Meredith, 1 Wallace, p. 40, quoting from McMahon vs. Morrison, 16 Indiana, p. 172.

The corporate rights and franchises of the old corporation, which appertain to its existence as a corporation, become merged and extinct.

Tomlinson vs. Branch, 15 Wallace, p. 465.

If this be a new company formed by the authority of an act of the Legislature of Missouri, after the provision of the Constitution referred to became operative, how could the Legislature, by the simple act of creating the corporation, vest the County Court with power to subscribe for its stock, when it was forbidden by the Constitution from passing a law directly vesting, in terms, any such power in the Court?

The power to subscribe, if it existed at all, was a power to subscribe for the stock of the Alexandria and Bloomfield Railroad Company, and not to the stock of any other corporation. That corporation, by its own act, went out of existence, and became a part of another and larger corporation, whose chief place of business was out of the State, a large part of whose road, property and stockholders were out of the State, and not subject to its laws. As a stockholder in the Alexandria and Bloomfield Railroad Company, the county of Scotland would have had one-tenth of the capital stock; as a stockholder in the Missouri, Iowa and Nebraska Railroad Company, it will have only one-sixty-fifth of th capital stock.

The principle decided in the case of Marsh v. Fulton County, 10 Wallace, p. , clearly applies in this case. There the vote was given, that is, the authority to the supervisors to subscribe, was given in favor of the Mississippi and Wabash Railroad Company. Before the subscription was made the road was cut into three divisions, and each division placed in charge of a separate directory. Three distinct companies were formed, and the subscription was made to the central division, and held void because the authority was not given to subscribe to the stock of that company.

Justice Field says: "A subscription to a company whose charter provided for a continuous line of railroad across the entire State was voted by the electors of Fulton County, not a subscription to a company whose line of road was less than sixty miles in extent, and which, disconnected from the other portions of the original line, would be of comparatively little value." * * * "This is a case where the power to contract never existed."

In the case of Nugent v. The Supervisors, 19 Wallace, p. 247, where two roads were consolidated under the laws of Illinois and Indiana, there was a subscription to the stock of one of the companies before the consolidation took place; that is, what the Court held to be equivalent to a subscription, an order of the County Court, and an acceptance by the company. In this Court, the Court held that the County Court clearly having the power to subscribe to the stock of one company, and having made such subscription to the Kankakee and Illinois Railroad Company, was bound to issue the bonds to that company, and the Consolidated Company, by the terms of the law and the act of consolidation, succeeding to all the rights, property and privileges which

belonged to each of the two companies, out of which it was formed, was entitled to the bonds. The County Court made no subscription to the stock of the Consolidated Company, nor any contract with it, but simply carried out a contract made with another company, which it clearly had the authority to do.

The case of Harshman v. Bates County, 2 Otto., p. 569, was a case of consolidation in which the consolidation was made before the subscription; there had been a vote authorizing the subscription to one company, but, before the subscription was made, it was consolidated with another company, and the subscription was made to the Consolidated Company, which this Court says was not authorized, and the bonds were void.

The Court says: "The extinction of the company, in whose favor the subscription was authorized, worked a revocation of the authority to subscribe. The law authorizing the consolidation of railroad companies does not change the law of attorney and constituent.

"It may transfer the vested rights of one railroad company to another, but it does not continue in existence powers to subscribe for stock given by one person to another, which, by general law, are extinguished by such change."

This decision is clearly applicable to the case before the Court.

Can it be said, that the power on the part of the County Court to subscribe for the stock of the "Alexandria and Bloomfield Railroad Company" is a franchise or a privilege, which passes by the act of consolidation? If so, it may be enforced a vested right; but this Court held otherwise in

the case of Aspinwall v. The Commissioners of Daviess County, 22 Howard, p. 377.

In this case, the charter of the railroad company provided that the County Commissioners might subscribe for stock in the company, if a majority of the qualified voters of the county, at an annual election, shall vote for the same.

The vote was had in March, 1849, in favor of the subscription. The County Commissioners, in September, 1852, made the subscription and issued the bonds.

On the 1st of November, 1851, the new Constitution of Indiana was adopted, declaring "that no county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company."

It is claimed, that the provision in the charter authorizing the county to subscribe, was a contract with the company, which could not be violated by the State in the adoption of its new Constitution.

The Court says:

"Without stopping to inquire whether or not the power conferred upon the Board of Commissioners in the charter and amendments, of the railroad company, in the form and with the conditions therein mentioned, constitutes a contract, the Court is of opinion, that in view of the body upon which the power is conferred, and of the nature of the power itself, no such contract existed, if any, as contemplated by this clause of the Federal Constitution. The power and authority contained in the charter, and out of which the right in question is claimed to arise, is conferred upon the county,

a public corporation or civil institution of government, and upon the public officers employed in administering its laws; and the power or authority itself concerns this body in its public, political capacity."

And the subscription and bonds were held void, although a vote of the people in favor of the subscription had been had before the adoption of the Constitution.

But, suppose it be a franchise or privilege, what is the nature and extent of it? Could the company compel the County Court to subscribe? and if so, what would be the rights of the stockholder? The power to subscribe, if it exist at all, is to become a stockholder in the "Alexandria and Bloomfield Railroad Company;" the subscription of $200,000 by the County of Scotland would give that county one-tenth of the entire stock of this company. The operations of the company would be in Missouri subject to Missouri laws, in the enactment of which the people of the county would have a voice; its officers, its property would all be in Missouri. But, in the case of the Consolidated Company, its officers, its property, its chief place of business, would be out of the State, and subject to another jurisdiction. Can it for a moment be claimed, that the Legislature of Missouri ever intended to rest the corporators of the "Alexandria and Bloomfield Railroad Company" with such a franchise or privilege? Or is it a franchise or privilege in any sense of the word?

If it be a mere power vested in the County Court; certainly the power to subscribe to the stock of one corporation does not authorize it to subscribe to the stock of another. The question presented, is one strictly of the power of the County Court to subscribe; and the attention of

the bondholder is directed, on the face of the bond, to the acts of the Legislature, which, it is claimed, authorize the subscription. The acts recited are the charter of the "Alexandria and Bloomfield Railroad Company," and the general law on the subject of consolidation, neither of these acts give the power to make this subscription, and the bondholder is bound to know the prohibitions of the Constitution of the State, which forbid any subscription, except upon the authority of a vote of two-thirds of the qualified voters.

JAS. O. BROADHEAD,
Atty. for Plaintiff in Error.

Supreme Court of the United States.

THE COUNTY OF SCOTLAND,
Plaintiff in Error,
vs.
JOSEPH T. THOMAS,
Defendant in Error.

No. 190.

Error to Circuit Court U. S., Eastern District of Missouri.

Brief of GEORGE W. McCRARY,
FOR PLAINTIFF IN ERROR.

WASHINGTON:
R. O. Polkinhorn, Printer,
1876.

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FOR PLAINTIFF IN ERROR.

This case stands upon demurrer to the petition.

The plaintiff below (now defendant in error) sued the County of Scotland, in the State of Missouri, on certain coupon bonds executed in the name of the county, by order of its County Court, to the Missouri, Iowa & Nebraska Railway Company, in payment for stock in said Company, for which said county had undertaken to subscribe.

The sole question in the case is, did the county of Scotland have power to subscribe for stock in said Railway Company and to issue bonds of the county in payment therefor, in the absence of a vote of the people to authorize such subscription.

The petition is very lengthy, containing, as it does, one

hundred and thirty-three counts, but they are all alike in substance, and all the material allegations, touching the question of power to issue the bonds sued on, are set forth in the first, and repeated in those which follow.

A material fact not set forth in the petition, to wit, the fact that there was no vote of the people upon the question of authorizing said county to become a stockholder in said corporation, was admitted by stipulation and is to be considered as an averment in the petition. (Transcript page 227, 230.)

I.

The Constitutional Prohibition.

At the time the subscription in question was made and when the bonds sued on were issued, the following constitutional provision was in force in Missouri.

CONSTITUTION MO., ART. 11, SEC. 14.

"The general assembly shall not authorize any county, city, or town to become a stockholder in or to loan its credit to any company, association, or corporation unless *two-thirds of the qualified voters of such county*, city, or town, at a regular or special election to be held therein, shall assent thereto." (Wagner's Statutes, Ed. 1872, p. 62.)

The controling questions to be considered may be thus briefly stated:

1. Assuming that the constitutional prohibition just quoted, is applicable, are the bonds null and void for the want of power in the legislature to authorize their issue without a vote by the people?

2. Does the constitutional prohibition apply?

I shall maintain the affirmation of both these propositions. In considering the second, I shall answer the claim of defendant in error that the power in question is derived

from legislation anterior to the adoption of the constitutional prohibition.

This constitutional prohibition was adopted in 1865. The subscription in question was made in 1871. The bonds bear date Sept. 1, 1870, and were delivered, and the subsciption formally executed in 1871. (Transcript, p. 236, *et seq.*)

It is clear that the authorities of the county could not ignore this constitutional prohibition in a case to which it was applicable, and make a valid subscription to the stock of a railroad corporation without the assent of two-thirds of the qualified voters of the county. Such is the decision of this court, in *Harshman* vs. *Bates County* 2 Otto, 569. In that case it is distinctly held that a vote of the people is necessary to the validity of the subscription, and that bonds issued in payment for such a subscription in the absence of the assent of two-thirds of the qualified voters of the county, at a regular or special election to be held therein, are absolutely void. To the same purport is the decison of the Supreme Court of Missouri, in *Carpenter* vs. *The Inhabitants of the Town of Lathrop*, 51 Mo. 483. In this latter case, the constitutional provision in question, is held to be "a limitation upon the power of the General Assembly to confer the right or power upon counties and towns to take stock in the companies named;" and the court considers it obvious "that no power can exist in any city or town, or the council or trustees thereof, to subscribe stock to or in any railroad company, or issue their bonds in payment thereof, *until the power is conferred by the assent of the qualified voters, to be given in the way pointed out by law.*" In other words, it is held, upon the soundest reason, that the assent of the people of the county to be expressed by an election, is a *condition precedent* to the exercise of the power to subscribe for stock, and issue bonds. The power is derived

from the election. Such is the construction given to this constitutional provision by the highest court of the State. It will, of course, be followed by this court, especially in view of the fact that it is in entire harmony with the rulings of this court on the same question.

The case of *Marsh* vs *Fulton County*, 10 Wall., 676, fully sustains this doctrine. It was there distinctly held that where a county, without authority, undertakes to subscribe for stock in a railroad company and issue bonds therefor, without the sanction of a popular vote, such bonds are void, and are not ratified by acts of the county authorities, such as appointing agents to participate in the corporate meetings of the railway company or the payment of part of the bonds, or the interest thereon, for a series of years. The ruling in this case is, that where the act is *ultra vires*, for want of a vote of the people, there can be no ratification, except that which is authorized by the people; the defect being one of power. Said the court by FIELD, J.: "They (the supervisors) could not, therefore, ratify a subscription without a vote of the county, because they could not make a subscription in the first instance without such authorization."

The distinction is here very clearly made between those cases where the power exists and has been irregularly exercised, and those cases where there is an entire want of power. Numerous cases may be cited in which this court has held that by recitals in the bonds themselves, or by acts of the municipal authorities, the municipality is estopped to deny the validity of bonds issued in its name and by its agents, but they are all cases belonging to the class first named, viz., cases where there was not an absolute want of power, but an irregularity in its exercise. The case now at bar is one of those cases where there was no power, and, in this respect, is like *Marsh* vs. *Fulton County*, and *Harshman* vs. *Bates County*, *supra*.

But it is also clear that there are no recitals on the face of the bonds, sued on in this case, which can estop the county to deny that there was a vote of the people. On the contrary, the recitals in the bonds themselves show affirmatively that there was no such vote, for they show that they were issued under and by virtue of the provisions of certain acts of the General Assembly of Missouri, which made no provision for a vote of the people.

Each of the bonds sued on has this recital: "This bond being issued under and pursuant to an order of the County Court of said Scotland County for subscription to the stock of the Missouri, Iowa and Nebraska Railway Company, *as authorized by an act of the General Assembly of the State of Missouri, entitled*, "*An act to incorporate the Alexandria and Bloomfield Railroad Company, approved February* 9, 1857." The act here referred to makes no provision for any vote of the people; if it authorized the issue of the bonds, sued on at all (and I shall contend that it did not), it authorized their issue without any such vote. The clause of the act from which the power is claimed is as follows:

"The said company (Alexandria & Bloomfield Railroad Company), shall in all things be subject to the same restrictions, and entitled to all the privileges, rights and immunities, which were granted to the North Missouri Railroad Company by an act entitled, "an act to incorporate the North Missouri Railroad Company, " approved March 3d, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted." The said act of March 3d, 1851 (The North Missouri Railroad Charter), and the 14th Section thereof, contained the following provision, viz:

"It shall be lawful for the County Court of any county

in which any part of said railroad may be, to subscribe to the stock of said company, and it may invest its funds in the stock of said company, and issue the bonds of such county to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interest and credit of the county."

In neither of these acts is any reference made to the Missouri, Iowa and Nebraska Railway Company—the corporation to which the bonds in question were issued. We shall hereafter see that this is not the corporation to the stock of which the county of Scotland might have subscribed under these acts, but another, new, and distinct corporation. I call attention to these enactments, in this connection, for the purpose of showing that by no possibility can the court hold that there is a presumption in favor of a purchaser of these bonds, that they were issued in accordance with the Constitution of Missouri and in pursuance of a vote of the people. A purchaser of the bonds in question with the recital above quoted printed in the body of each one of them, must be held to have notice.

1. That the power to issue them, if it existed, was derived from the charter of the Alexandria & Bloomfield Railroad Company.

2. Upon examining that charter he would find himself referred to the North Missouri Railroad Charter.

3. Upon looking at this latter charter, he would find no reference to the Missouri, Iowa and Nebraska Railroad, and would therefore be obliged.

4. To ascertain upon what ground, if any, Scotland County, under a power to subscribe to the stock of the Alexandria & Bloomfield Railroad Company, undertook to subscribe to the stock of Missouri, Iowa and Nebraska Railroad Company.

It is therefore clear that the purchaser of the bonds sued on had full and ample notice of all the facts, and must be held to have taken them with notice and at his own risk; such a purchaser was not only bound to inquire, upon general principles, as to the power of the officers who issued the bonds, but he was notified by the recitals in the bonds themselves, that it was not claimed that they were issued in accordance with the constitutional requirement, and in pursuance of vote of the people. It follows then, that the bonds can be upheld, if at all, only upon the theory that they were authorized by legislation anterior to the adoption of the constitutional prohibition, and that they might, therefore, be lawfully issued without a vote of the people.

II.

It remains only for us to show, that the acts of the General Assembly of Missouri, passed prior to the Constitution of 1865, and relied upon as the authority for issuing these bonds, did not confer upon Scotland County the power claimed, and that no such power was, or could be derived from any act passed subsequently to the adoption of said Constitution. The court will observe that the power is claimed under four separate acts of that legislature; two of which were passed before the Constitution of 1865 was adopted, and two after that time.

These Acts are as follows:

1. "An Act to incorporate the Alexandria and Bloomfield R. R. Co., approved February 9, 1857."

"§ 10. Said Company shall, in all things, be subject to the same restrictions, and entitled to all the *privileges*, *rights* and *immunities* which *were* granted to the North Missouri Railroad Company, by an Act entitled 'an Act

to incorporate the North Mo. R. R. Co.,' approved March 3, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted." SEC. 10, p. 95. Sess. acts 1857.

2. "An Act to incorporate the North Missouri Railroad Company," approved March 3, 1851; the 14th Section of which is as follows:

"§ 14. It shall be lawful for the County Court of any County in which any part of the route of said road may be, to subscribe to the stock of said company, and it may invest its funds in the stock of said company, and issue the Bonds of such County to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interests and credit of the county. Such County Court may appoint an agent to represent the County, vote for it, and receive its dividends; and any incorporated city, town, or incorporated company, may subscribe to the stock of said Railroad Company, and appoint an agent to represent its interests, give its vote, and receive its dividends; and may take proper steps to guard and protect the interests of such city, town, or Corporation." Sess. Acts, 1851. p. 486.

3. "An Act to amend an Act entitled 'an Act to incorporate the Alexandria and Bloomfield Railroad Company,' approved February 9, 1857." This Act was approved February 19, 1866. (Sess. Laws, 1866, p. 222.) The Fourth Section provides:

"§ 4. That the whole of this act, or any section thereof, as shall be adopted by the Board of Directors of the Alexandria and Bloomfield Railroad Company, at any meeting of said Board called for that purpose by the order of the Board or a majority of said Board—the Secretary having given thirty days' previous notice in writ-

ing to each director, stating fully the object of said meeting—shall be in force from and after its adoption."

The petition in this case avers that the *first* section of said act "was adopted by the Board of Directors of said Alexandria and Bloomfield Railroad Company, at a meeting of said Board called for that purpose in the manner prescribed in said act."

Said First Section provides:

"§ 1. That the Alexandria and Bloomfield Railroad Company may change the corporate name of said Company to that of the Alexandria and Nebraska City Railroad."

The name of the Company was changed in accordance with this section.

4. The act known as the Consolidation Act of March 2, 1869, the material part of which, is as follows:

"Section 1. That any railroad company organized under the general or special laws of this State, whose track shall, at the line of the State, connect with the track of the railroad of any company organized under the general or special laws of any adjoining State, is hereby authorized to make and enter into any agreement with such connecting company, for the consolidation of the stock of the respective companies whose tracks shall be so connected, making one company of the two, whose stock shall be so consolidated, upon such terms and conditions and stipulations as may be mutually agreed between them, in accordance with the laws of the adjoining State in which the road is located, with which connection is thus formed."

Section 2, requires that the consolidation shall be approved by the holders of a majority of the stock in each of the old companies.

Section 3 provides, that when the terms of consolidation shall have been agreed upon, &c, "it shall be competent for the boards of directors in each of said connecting companies, to carry the same into effect, and adopt by a resolution a new corporate name for the company, which shall be formed by the consolidation; and to call in the certificates of stock then outstanding in each company, and exchange them for stock in the *new company*, as may have been agreed by the terms of the consolidation; and a copy of the said consolidation agreement, and the resolutions of consolidation, and the name adopted for the *new company*, shall be filed with the Secretary of State, &c."

Section 4. "Any such consolidated company shall be subject to all the liabilities, and bound by all the obligations of the company within this State which may be thus consolidated with one in the adjacent State, as fully as if such consolidation had not taken place; and shall be subject to the same duties and obligations to the State, and be entitled to the same franchises and privileges under the laws of this State, as it the consolidation had not taken place."

By reference to these statutes it will be seen that several important questions arise upon their construction, and among them the following:

1. Was the County of Scotland empowered to take stock in the Alexandria & Bloomfield Railroad Company; or, in other words, was the power to subscribe conferred upon the *county* by giving to the *company* "all the privileges, rights and immunities" granted to the North Missouri Railroad Company?

2. Assuming that the county had power to subscribe to the stock of the Alexandria & Bloomfield Railroad, Company, had it the like power to subscribe to the stock of the Alexandria & Nebraska City Railroad Company?

3. Assuming the affirmative of both the foregoing propositions, was the county, by virtue of the above mentioned legislation, empowered to subscribe to the stock of the Missouri, Iowa & Nebraska Railroad Company?

I desire, for the present, to confine my suggestions to the last of these questions, without, however, waiving the others.

Let us assume, then, for argument sake, that Scotland County was authorized, by laws passed prior to the adoption of the Constitutional prohibition of 1865, to become a stockholder first in the Alexandria & Bloomfield Railroad Company, and afterwards in the Alexandria & Nebraska City Railroad Company. I still maintain, with great confidence, that the county had not, by virtue of any law passed prior to said Constitutional prohibition, any power to subscribe to the stock of Missouri, Iowa & Nebraska Railway Company. We are to consider—

1. Whether the power to subscribe, without a vote of the people to the stock of this latter company, was conferred upon Scotland County by laws passed prior to the adoption of said Constitution of 1865.

2. Whether the legislation, subsequent to the adoption of said Constitution, was intended to confer such power; and—

3. Whether, if so intended, it was not in violation of said Constitution, and therefore null and void?

It will be convenient here to give some dates:

March 3, 1851, Act to incorporate the North Missouri Railroad Company, passsed.

February 9, 1857, Act to incorporate the Alexandria & Bloomfield Railroad Co., passed.

July, 1865, the New Constitution of Missouri, adopted.

February 19, 1866, Amendment to charter of Alexandria & Bloomfield R. R. Company passed, authorizing change of name and of route.

March 2, 1869, Act to authorize Railroad Companies in Missouri to consolidate with such companies in adjoining States, passed.

March 26, 1870, Articles of consolidation entered into between the Iowa Southern Railway Company of Iowa, and the Alexandria & Nebraska City Railroad Company of Missouri, by which was formed, the Missouri, Iowa and Nebraska Railway Company. (See Articles of consolidation, Record, page 230.)

I call particular attention to the fact that *only the two first acts above named were in existence when the Constitution of* 1865, *was adopted.* How then stood the matter when that Constitution came into force? The most that can be claimed, even upon the construction of those two acts insisted upon by defendant in error, is, that the county of Scotland had at that time the power to subscribe to the stock of the Alexandria & Bloomfield Railroad Co.

What was the effect of the adoption of the Constitutional prohibition? Not to consider now its effect upon the charters of companies then in existence which gave them the right to receive county subscriptions, but where no such subscriptions had been made, or agreed to be made, it is certainly clear that it prohibited absolutely all subscriptions by counties to railroad companies, without the required popular vote, *except such as were clearly authorized by laws in force when the Constitution was adopted.* It did not simply prohibit the county from becoming such stockholder, without a vote of the people, but it prohibited the general assembly from authorizing the county to become such stockholder without a vote of the people. Giving to the constitutional provision only a prospective operation, I am certainly right in claiming

that, unless the power to make the subscription and issue the bonds in question existed, and was complete under the legislation anterior its adoption, it could not exist at all. To say that it may be derived from laws passed subsequently to the adoption of that Constitution, is to assert that the general assembly of Missouri might violate the organic law. If it could be shown that the Missouri, Iowa and Nebraska Railway Company existed as a corporation prior to, and at the time the Constitution was adopted, and had, prior to that time, the right to receive subscriptions to its stock from the counties along its line, then it might be argued that this right was not taken away by the Constitution. But unless the right to receive such subscriptions was a vested right in said corporation prior to that time, no such right can be now claimed, because any attempt by the legislature, by legislation subsequent to the adoption of the constitution, to authorize Scotland County to make the subscription in question without a vote, would be clearly unconstitutional. We have seen that *at the most* the acts passed prior to the adoption of the constitutional prohibition, could only be held to authorize a subscription to the first company chartered, the Alexandria & Bloomfield R. R. Co. If it be claimed that by virtue of that legislation, the county was empowered to subscribe to the Missouri, Iowa and Nebraska R. R. Co., it must be upon the theory that the two corporations *are in fact one and the same.*

We are thus brought to the question whether the last named company, to the stock of which Scotland County undertook to subscribe, was a new corporation, or only a continuation of the Alexandria & Bloomfield R. R. Company without any fundamental change in its organization.

In the light of the *facts*, and of reason and authority,

this question is easily answered. These two corporations are not one and the same, but separate and distinct. To prove this, let me call attention to some of the fundamental differences between the two.

1. The Alexandria and Bloomfield Railroad Company had a capital stock of only two millions of dollars; the Missouri, Iowa and Nebraska Company has a capital stock of thirteen millions. (Laws of Mo., 1856-7, p. 94, Sec. 2; Record p. 231, Article 6.)

2. The former company was authorized to build a railroad wholly in Missouri; from Alexandria to the State Line in the direction of Bloomfield Iowa, probably fifty miles long, wholly in two counties. (*See said Laws, p. 95, Sec. 5.*) The latter company is authorized to build a railroad from Alexandria, ~~Clark County~~ Mt. Pleasant, Iowa, and thence west to the Missouri River as contemplated by the Charter of the Iowa Southern Railway Company. (*Article 13; Record p. 233.*)

3. The latter company not only had power to issue over six times as much stock as the former, and to build a railroad over a totally different and much longer route, but it took a new name and placed its affairs in the hands of new officers.

4. The latter company was authorized to "borrow money to an amount not exceeding two thirds of the capital stock," say eight and one third millions of dollars. (*Record p. 233, Article 16.*) No such power was given to the former.

5. The former company was a corporation formed under the laws of Missouri with no power to immigrate to another State. The latter is an inter-state corporation existing in both Missouri and Iowa, and formed by uniting two separate companies, one of which previously existed under the law of Iowa and within that State,

and the other under the law of Missouri, and within that State.

6. The former was a local company formed to build, upon a small capital, a short road through part of two Counties in Missouri, while the latter is a corporation authorized upon a large capital, to build a long road through part of two states.

7. Another important difference between the two companies, which I mention here and will comment upon hereafter, is this: the former had, when the Constitution of 1865 was adopted, no power under its charter, nor under any law of Missouri, to consolidate with any other corporation either in or out of the State. The latter has this power under the consolidation act of 1869, cited elsewhere.

8. The consolidation act, under which the latter company was formed by a union with the Iowa Southern Railroad Company evidently contemplates the formation of a *new* company and the entire extinction of both the old ones. In section three of said act the consolidated company is twice designated as "the *new* company."

Other points of difference between the two companies might be named, but these are sufficient to show that the result of the consolidation was a new corporation, differing fundamentally in many respects from the old one. The decisions of this court sustain this view.

Clearwater vs. *Meredith*, 1 Wall., 25.
Marsh vs. *Fulton Co.*, 10 Wall., 676.
Harshman vs. *Bates Co.*, 2 Otto, 569.

In *Marsh* v. *Fulton County*, the authority was to subscribe to the stock of the Mississippi & Wabash Railroad Company, but that company by an act of the legislature was divided into three divisions, each division being subjected to the control and management of a different

board. The subscription was to the central division and was held void. In the course of the opinion, the court used the following language, which is strikingly appropriate to this case:

"A subscription to a company whose charter provided for a continuous line of railroad of two hundred and thirty miles across the entire state, was voted by the electors of Fulton County; not a subscription to a company whose line of road was less then sixty miles in extent, and which disconnected from the other portions of the original line would be of comparatively little value."

In the present case I say, a subscription to a company whose charter provided for a railroad about fifty miles long through two counties of Missouri, was authorized by the charter of the Alexandria & Bloomfield Company; not a subscription to a company whose line of road was more than two hundred miles in extent, and running almost across an adjoining State.

I do not claim that every change in the organization of a railroad corporation will have the effect which I claim for the consolidation in this case. I do not mean every change, but every *fundamental* change. The facts in the Fulton County case were said by this court to have "worked a fundamental change in the character of the railroad corporation," and this expression, I submit, furnishes the true test.

Was there a fundamental change in the character of the original corporation, between the adoption of the new Constitution of Missouri and the issuance of the bonds?

The facts, as I have stated them, and as they appear by the record and statutes, leave no doubt upon this point.

But *Harshman* vs. *Bates County*, is still more directly in point. In that case there was a consolidation between

two Missouri roads. The statute provided that the consolidated company should "be entitled to all the powers, rights privileges and immunities" belonging to either of the constituent companies. The consolidation was held to create a new corporation and to extinguish both the old ones. The court said:

"Another objection to the validity of the subscription for which the bonds were given in this case is, that the township voted a subscription to one company and the county court subscribed to another. This is sought to be justified on the ground that the former company became consolidated with another, thereby forming a third, to whose stock the subscription was made. This consolidation was effected under a law of Missouri authorizing consolidations and declaring that the company formed from two companies should be entitled to all the powers, rights, privileges, and immunities which belonged to either; and it is contended that this provision of the law justified the county court in making the subscription without further authority from the people of the township, But did not the authority cease by the extinction of the company voted for? No subscription had been made. No vested right had accrued to the company. The case of the *State* vs. *Linn County Court* (44 Mo., 504), only decides that if the county court refuses to issue bonds after making a subscription, a mandamus will lie to compel it to issue them. There the authority had been executed and a right had become vested. But so long as it remains unexecuted, the occurence of any event which creates a revocation in law will extinguish the power. The extinction of the company in whose favor the subscription was authorized worked such a revocation. The law authorizing the consolidation of railroad companies does not change the law of attorney and constituent. It may transfer the vested rights of one railroad company to another upon a consolidation being affected; but it does not continue in existence powers to subscribe for stock given by one person to another, which, by the general law, are extinguished by such a change. It does not profess to do so, and we think that it does not do so by implication.

As sufficient notice of these objections is contained in

the recitals of the bonds themselves to put the holder on inquiry, we think that there was no error in the judgment of the Circuit Court; and it is, therefore, affirmed."

The case of *Nugent* v. *The Supervisors*, 19 Wall. 241, is not in conflict with these decisions. That was a case in which the subscription was regularly and legally made by the county to one of the original corporations and the bonds issued in the name of that corporation before the consolidation took place, and the only question was whether the delivery of the bonds to the consolidated company, and receiving the stock of that company in payment for them, rendered them void.

The question, as stated in the opinion, was whether the effect of the consolidation was to "*release* the county from its *prior assumption* to take stock in the Kaukakee and Illinois River Railroad Company, and give its bonds in payment." (p. 248.)

Now, in the case at bar there was no prior assumption of the county to take stock in the old corporation. It is at most only claimed that the county might have, but did not, subscribe to the stock of the Alexandria and Bloomfield Company. Furthermore it is manifest that, according to the decision in *Nugent* v. *Supervisors*, even if there had been an actual subscription to the Alexandria and Bloomfield Company, before the consolidation, and an execution and delivery of the bonds to the new company afterward, it would have been held void. Why? Because as this court declares (p. 248) "a subscriber to the stock of a railroad company is released from obligation by a fundamental alteration of the charter."

The consolidation in that case was held not to be a fundamental alteration *for the reason that the consolidation was provided for in the charter of the company subscribed to, and was therefore an event which the subscriber was bound to anticipate when he made his subscription.*

This point is very material, and I beg the Courts' attention to it. I quote from the opinion, page 249, 19 Wall:

"The consolidation of the Kaukakee and Illinois River Railroad Company with another company was *no departure* from its *original design*." And why no departure? This question is answered thus by the court:

"The general statute of the State approved February 28, 1854, *authorized* all railroad companies then organized or thereafter to be organized to consolidate their property and stock with each other and with companies out of the State whenever their lines connect with such companies out of the State." The court proceeds to show that the special charter of that company, as well as the general law, authorized the consolidation, and thereupon says:

"It was therefore contemplated by the legislature, as it must have been *by all the subscribers* to the stock of the company, that precisely what has occurred, might occur. Subscribers must be presumed to have known the law of the State, and to have contracted in view of it. When the voters of the County of Putnam sanctioned a county subscription by their vote, and when the board of supervisors, in pursuance of that sanction, resolved to make the subscription, *they were informed by the law of the State that a consolidation with another company might be made*, that the stock they proposed to subscribe might be converted into stock of the consolidated company, and that the liability they assumed might become owing to that company." After citing numerous authorities, the court states as the result of them, that "a subscriber for stock is released from his subscription by a subsequent alteration of the organization or purposes of the company, only when such alteration is both fundamental *and not provided for or contemplated by either the charter itself or the general laws of the State.*"

We have seen that there was no subscription at all in this case to the original company; it is only claimed, that prior to the constitutional prohibition, there was a *right* to subscribe to that company, and that the change in the organization was not such as to take it away. Suppose, however, there had been an actual subscription to the old company before the constitution, and a delivery of county bonds to the new company, after the constitution, that would have been a stronger case for defendant in error, than the present one; and yet the county would have been released from the subscription, under the doctrine of the Nugent case, because the change in the organization of the company by the consolidation, was "both fundamental, and not provided for nor contemplated by the charter itself, or the general laws of the State." I have already shown that it was a fundamental alteration of the original charter, in many important respects. To show that it was not provided for, nor contemplated by, any law in force when the Constitution of 1865 was adopted, it is only necessary to call the Court's attention to the Consolidation Act itself, the only authority for the consolidation, *and which was approved March* 2, 1869, about four years after the adoption of the Constitution of 1865.

If, therefore, there had been an actual subscription to the stock of the old company, prior to the Constitution, the county would have been released by the subsequent consolidation. How then can it be claimed that a mere right to subscribe to the old company was not taken away by the consolidation? If a subscription itself would have fallen with the extinction of the company subscribed to, clearly the right to make such subscription could not survive that extinction. I claim that the reasoning in the Nugent case is all in our favor; and that it is in perfect harmony with the doctrine of the cases of *Marsh* vs. *Fulton County*, and *Harshman* vs. *Bates County*.

Let it be kept constantly in mind that the question here is, whether authority to subscribe to the old company was authority to subscribe to the new, and that this question is to be decided in the light of the fact that at the time the authority was given, neither the original charter nor any law of Missouri authorized a consolidation. And if it be true, as held in the Nugent case, that a *contract* to subscribe to the old company, made in the absence of a law authorizing the consolidation, could not be enforced, is it not equally true that legislative authority to make a contract of subscription to the old company is not authority to subscribe to the stock of the new or consolidated company? It is certainly clear that if the authority to subscribe to the consolidated company is not found in the charter of the old company, it could not be given by the law authorizing the consolidation, except on the terms prescribed by the intervening Constitutional provision. Substantially, this latter point was decided by the Supreme Court of Missouri in *The State* vs. *Saline County*, 51 Mo., 350, where it was distinctly held that no power to subscribe to the stock of a railroad company, without a vote of the people, could be given to a county by an amendment of the charter of such company, made after the taking effect of the Constitutional prohibition. In that case, as in this, the original charter, adopted before 1865, provided that the counties along the line of the railroad might take stock in the company, and the legislature of Missouri *after the adoption of the Constitution of* 1865, provided by law for an extension of the route. The court held that the counties along the extended line could not subscribe without submitting the question to a vote of the people, as required by the Constitution.

The case of County of Callaway v. Foster, decided at the present term, does not conflict with, but confirms this view. In that case the question was whether the

subscription was authorized by the charter of the company, passed in 1858, or by an amendment thereof passed in March, 1868. It was conceded that if it was not authorized by the former it was wholly void, for the reason that the latter was an act passed after the Constitution of 1865. The court held the subscription valid, because, as the opinion declares, "the subscription to the railroad stock was *authorized by the County Court, and actually made by their agent before the act of March*, 1868, *was passed.*" The court also speaks of the amendment of the charter by the act of 1868, as only "altering its terms and conditions *within its original limits and the general nature and scope of its original charter.*" Of course an alteration of the charter going far beyond its original limits, and outside of the nature and scope of the original charter presents a totally different case. The objection was raised in the case just cited, that the subscription was to a branch road and not to the road originally chartered. The court did not answer this, by asserting for the county the *right* to subscribe to any other than the original company; but, by declaring that "the branch road *was the original road*, so far as Callaway was concerned, with a change of name simply." And the court considered "that the subscription actually made by the county of Callaway, in January, 1868 (before the amendment of the charter), was legal, and that the circumstance that the *bonds were issued at a later date is an immaterial one.*" It is perfectly clear, that if the facts in that case had shown, as they do in this, that there was an attempt by a legislative act, passed after the Constitution of 1865, to authorize the creation of a new corporation, with power to construct a railroad, and to give the counties along its line the right to subscribe to its stock without a vote of the people, it would have been held void.

It will doubtless be claimed that the case of *State ex rel.*

vs. *Greene County*, 54 Mo., 540, holds a different doctrine, but this is an error. A careful examination of that case will show that the court decided that the power to subscribe to the stock of the branch road in question was given, in express terms, by the original charter which was passed in 1857, and long before the adoption of the Constitution of 1865. What the court decided was that the right to subscribe to the stock of the branch road, having been given by legislation anterior to the adoption of that Constitution, it was not taken away by its adoption. As already shown, this doctrine does not stand in the way of the defense in this case.

In the Greene County case the original company was the Kansas City, Galveston & Lake Superior R. R. Co., and it was authorized by the 13th Section of its charter to construct a branch railroad, "commencing at or near the City of Kansas to any point on the southern boundary of the State, the directors may elect, to connect with any road or roads leading to or in the direction of the city of Memphis, in Tennessee, or Napoleon, in the State of Arkansas, and be governed in all respects by the provisions of this act in the construction and operation of said branch road." (54 Mo., 547.) The fifteenth sectionof the charter gave power to the County Court of any county, "in which any part of the said railroad *or branches may be*, or any county adjacent thereto, to subscribe to the stock of the company." (**P**. 548.)

In 1864 (before the Constitution of 1865,) said corporation was authorized to change its name. Ib.

In 1867, another act authorized the corporation to make arrangements with any other railroad to furnish equipments and to run and manage its railroad, or to lease the same or to consolidate with any other company upon such terms as may be deemed just and proper.

An act was also passed in 1868, the provisions of which are set out in the opinion (pp. 548, 549.) After citing these statutes the court proceeds to decide that the bonds were valid, upon the ground that they were issued to aid in the construction of a branch road which was in direct terms provided for by the original charter of 1857, long anterior to the adoption of the constitutional prohibition. The court said, (p. 550):

"The legislative enactments, above cited, show that the *original* charter of the Kansas City, Galveston, and Lake Superior Railroad Company, *gave the power in direct terms* to construct the branch road out of which this suit sprang; that it described its beginning point and terminus, &c." And again:

"Authority was given to any county court of any county *through which the branch road ran*, to subscribe stock to the company and to issue its bonds to raise funds for the purposes of construction." And still further:

"As the charter was granted and the power given to subscribe stock without taking a vote of the people, *long anterior to the adoption of the present constitution*, by a special enactment, the settled law of this State is that it was not impaired or taken away by any of the subsequent general laws or the constitutional prohibition."

And speaking of the act of 1868, passed after the constitutional prohibition, the court said:

"If the act of 1868 *substantially changes the character of the company*, or attempts to confer upon county courts the power to make subscriptions without first submitting the question to the qualified voters, then as to such matters I have no hesitation in *pronouncing it void*. In other words the act could not organize a new company giving it such power, *nor confer any additional power in relation to making subscriptions*, without the vote of the people *where*

it did not previously exist." The court declares that there has been no fundamental change in regard to the branch road to which the subscription was made, for the reason that "the branch road remains still the same as it was before the consolidation took place."

To bring the case at bar within the doctrine of the Greene County case, it would be necessary to show that the charter of the Alexandria & Bloomfield R. R. Co., contained the following provisions:

1. That said company might at any time consolidate with a company in any adjoining State and adopt a new line extending west to the Missouri River, and—

2. That any new company formed by such consolidation should be entitled to receive subscriptions to its stock from counties along its line.

But such provisions in that charter are wanting. A consolidation of a certain kind may take place between two railroad companies, without extinguishing the old corporations. Such a consolidation occurs when it does not make a fundamental change in the charters of the old corporations, and such, according to the Greene County case, was the character of the transaction there commented upon. It was distinctly declared by the court, that *the branch road to which the County of Greene subscribed remained the same after consolidation as before.* There was stock in the branch road applicable to the branch only. The branch road was not liable for the debts of the main road, nor was the main road liable for the debts of the branch road, and in all matters affecting the branch road the stockholders of that portion of the road were to control. Upon these facts, Judge WAGNER says, page 552: "In the present case none of the property, or the rights and privileges is extended to, or possessed by, the road with which it is consolidated. For

all practical purposes, it is really and essentially a distinct and independent branch. *The union exists simply in name, but not in substance.*"

Having, as I think, shown that Scotland County was not authorized to make the subscription in question to the Missouri, Iowa and Nebraska R. R. Co. by any law in force prior to the adoption of the constitutional prohibition of 1865, it only remains to show that any attempt to confer such power, without a vote of the people, by a legislative act *subsequent* to the constitution of 1865, must necessarily be held unconstitutional and void. This proposition is too plain for argument, and it has been so fully anticipated in the foregoing pages that I will not here enlarge upon it. Nothing can be plainer than that the holder of the bonds sued on here, must show that the power to issue them without a vote of the people was clearly conferred by the charter of the Alexandria & Bloomfield Company, and not by any amendments thereto or other legislation adopted after the constitutional prohibition had intervened. No such showing has been, or can be made. The question may be conclusively settled in this way. Suppose there had been no legislation on this subject after the adoption of this constitution of 1865, would anybody claim that there was authority to issue these bonds? Clearly not, because the Missouri, Iowa and Nebraska Company could not have been formed and organized under any legislation in force when that constitution was adopted, much less could it have acquired the franchises and privileges of the Alexandria & Bloomfield, and the Alexandria & Nebraska City R. R. Companies.

The power to subscribe in this case, if it exists, must be derived from Sec. 4 of the Consolidation Act of March 2, 1869, which declares that the Consolidated Company shall "be entitled to the same franchises and privileges

under the laws of this State, as if the consolidation had not taken place."

The claim of the bondholders is, that this language confers upon the Consolidated Company, the right to receive subscriptions to its stock from counties along its line, because this would have been a franchise or privilege of one of the old companies, if the consolidation had not been made. We might answer this, by saying that even the old company had no vested right to receive such subscriptions prior to the constitutional prohibition, and that therefore, if there had been no exinction of the old company, no fundamental change of its organization, the county could not have made the subscription after the Constitution of 1865, came into force. Such was the decision of this court, in *Aspinwall* vs. *Commissioners of Jo Daviess County*, 22 How., 364. In that case, a prohibition in the Constitution of Indiana, very similar to the one in the Missouri Constitution, was considered and construed, and was held to set aside or abrogate a provision in a railroad charter, giving counties the right to subscribe, and to render void a subscription *voted* prior to, but actually *made* after its adoption. I am aware of several decisions of the Supreme Court of Missouri, which hold, that a power to subscribe, conferred on a county by special charter, *prior to the Constitution of* 1865, was not taken away by the adoption of that instrument, but the subscription might be made *to the same company*, after the constitution came into force. (*Smith* vs. *Clark Co.*, 54 Mo., 58; *State, ex rel.* vs. *Greene County*, Ib. 540.)

These cases cannot be well harmonized with the decision of this court last cited, but even if they be followed they do not touch the question in this case. They decide only that where the right to subscribe was perfect prior to the adoption of the constitution, it may be exercised by a subscription *to the same company* afterwards.

They do not hold that the subscription may subsequently be made to another and different company, much less that the legislature can by an act or acts, passed after the adoption of said Constitution, create, or authorize to be created, a new company clothed with power to receive county subscriptions without a vote of the people. But on the contrary the Supreme Court of Missouri expressly decided in *State* v. *Saline County Court* (51 Mo. 350), that no amendment of a charter subsequent to the adoption of the Constitution could confer, or enlarge the power to subscribe granted by the law as it stood prior thereto.

Defendant in error may in answer to these suggestions, cite Section 56 of the general incorporation act of December 13, 1855, which reserves to the legislature the power to alter or amend that act. (Revised Statutes 1855, page 438, sec. 56.)

It was insisted in the court below that under the general law the power to amend the charter of the original company existed in the legislatue when the Constitution of 1865 was adopted, which power was properly and constitutionally exercised in the passage of the consolidation act of 1869, and in incorporating therein the clause now said to confer upon counties, the power to subscribe to the stock of the consolidated company.

In answer to this I submit:—

1. That the decision of the Supreme Court of Missouri in State vs. Saline County, 51 Mo., 350, already commented upon, involved this precise point. In that case the reserved power to amend the charter which existed before the Constitution of 1865, had been exercised after that Constitution came into force, in such manner as to extend the line, and, as was claimed, so as to enlarge the power of the counties to subscribe. This point was insisted upon by counsel (see 2d point, pp.

352-3-4), and the decision of the court was against it. (pp. 372-3-4.)

2. The Alexandria & Bloomfield R. R. Co., was not organized under the general incorporation act above mentioned, but under a special charter as already shown, and, therefore power to amend the general act did not authorize an amendment of the special charter.

3. Conceding the power of the legislature to amend the charter, it is still perfectly clear that, if the power was not exercised before the adoption of the Constitutional prohibition in 1865, it could not be subsequently exercised so as to give the County of Scotland the power to subscribe to the new company without a vote of the people. The Constitution of 1865, prohibited the granting of such a power either directly or indirectly, by an original act, or by an amendment to an existing charter.

4. If, under the power to amend a charter adopted prior to the constitution, the Legislature may clothe the counties of that State with the power to subscribe without a vote of the people to any railroad company created by such amendment, then the constitutional prohibition may be evaded and nullified. For, if that doctrine prevails, any one of the many charters adopted in Missouri prior to 1865, may be amended so as to consolidate any of the old companies with any new ones, and so as to extend indefinitely the lines of the consolidated companies. If it be true that the counties along new lines thus formed, by consolidation with old companies under the form of amending old charters, can subscribe to the stock of all such new or consolidated companies, without a vote of the people, notwithstanding the constitutional prohibition, then it is easy to show, that in scarcely a county in Missouri could the people successfully claim the protec-

tion of their constitution. The proposition is—and it lays at the foundation of the case of the plaintiff below—that because the charter of a railroad company adopted prior to the constitution, was amendable, that power may be exercised after the adoption of the constitution, by authorizing such company to consolidate with another company, whereby a new company shall be formed with a new or indefinitely extended line, and that the counties along the line of such new company may take stock in it without a compliance with the constitution in the matter of a vote of the people.

It may be well to look at the consequences of establishing such a proposition.

The companies, chartered by the Legislature of Missouri prior to the Constitution of 1865, with power to receive county subscriptions, without a vote of the people, are quite numerous. The present claim is, that each one of them may now, under the consolidation act of 1869, or by an amendment of its charter, which the Legislature may at any time pass, consolidate with any other company not having the power to receive such subscriptions, and by this means form a combined or consolidated company, to which such subscriptions may be made without a vote.

An examination of the statutes of Missouri, enacted prior to 1865, will show how far reaching this power is, if it exists at all. In the session acts of 1856–7, alone will be found no less than eighteen special charters, each containing a clause giving power to the counties along its line to subscribe to its stock. (See said laws, pp. 94, 96, 100, 102, 107, 110, 114, 125, 133, 138, 142, 148, 152, 162, and of adjourned session 1857, pp. 55, 59, 64, 97.) If the other sessions of the Missouri Legislature, preceding the Constitution of 1865, were as fruitful of special railroad charters as those here referred to, such charters

must be very numerous; and if one can be amended by an act, subsequent to the Constitution, so as to form new connections, extended lines and new companies, to the stock of which counties may subscribe without a popular vote, the Legislature can practically ignore the Constitution.

In view of the considerations now submitted, and the authorities cited, I confidently submit that the court below erred in overruling the demurrer to the petition and in rendering judgment for plaintiff. I recapitulate briefly the grounds upon which I stand, as follows:

1. The plaintiff below is not an innocent purchaser of the bonds sued on, without notice.

(*a*) Because the defect complained of is a want of power, and not an irregular exercise of an admitted power.

(*b*) Because the acts under which the right to issue the bonds in suit is claimed, is set out in the bonds themselves, and the purchaser was put upon inquiry and had notice of all the facts.

2. The validity of the bonds in suit can only be sustained by showing that Scotland County was authorized by the law as it stood prior to July, 1865, when the constitutional prohibition took effect, to subscribe to the stock of the Alexandria and Bloomfield Railroad Company *and to the stock of any company that might be formed by consolidation with it.*

3. Whatever might have been claimed had it appeared that the old company had, by its charter or the law in force prior to 1865, power to consolidate, it is clear that, in the absence of that power of consolidation, the right of Scotland County to subscribe was, when the Constitution of 1865 came into force, a right to subscribe to the original corporation and no other.

4. If the intent of the consolidation act of 1869 was, as claimed, to authorize a new company to be formed by consolidation of the Alexandria & Nebraska City R. R. Co., and the Iowa Southern R. R. Co., and to empower Scotland County to subscribe, *without a vote of the people, to the stock of this new company*, then that act is so far unconstitutional and void.

5. The consolidation, effected by changing the Alexandria & Bloomfield R. R. Company into the Alexandria & Nebraska City R. R. Company, and consolidating the latter with the Iowa Southern R. R. Company, by which was formed the Missouri, Iowa & Nebraska Railroad Company, was an alteration of the charter of the first named company—"both fundamental, and not provided for or contemplated by either the charter itself or the general laws of the State," as they stood when the Constitution of 1865 was adopted.

Respectfully submitted,

GEO. W. McCRARY,

Of Counsel for Plaintiff in Error.

In Supreme Court of the United States.

County of Scotland,
Plaintiff in Error,
vs
Joseph T. Thomas,
Defendant in Error.

Brief of Defendant in Error.

I.

The argument in this case is upon a demurrer to the petition.

For Petition, see page 1 of original record and page 2 of printed record.

For Demurrer, see page 275 of original and page 226 of printed record.

II.

The Defendant in Error claims that the county court of the County of Scotland had power to subscribe to the stock of the Missouri, Iowa and Nebraska Railway by virtue of—

1st. The provisions of the charter of the Alexandria and Bloomfield Railroad Company, which said charter was granted to said company by act of the General Assembly of Missouri, approved February 9th, 1857, and found in the session laws of Missouri for 1857, at page 94.

2. That said charter by the provisions of the 10th section

thereof, adopted and re-enacted the charter of the North Missouri Railroad Company, approved March 3d, 1851, and found in the session acts of said year at page 486.

3. That by the provisions of the 14th section of said last named charter, the courts of the counties upon the route of said road were authorized to subscribe to the stock of said railroad, *mero motu*.

Section 10 of the charter of the A. & B. R. R. Co., will be found quoted in full in the argument at page 2.

Section 14 of the charter of the N. M. R. R. Co., will be found quoted in full in argument at page 2.

III.

That by an act of the General Assembly, approved Feb. 19, 1866,—see acts of adjourned session, 1865, page 222,—the charter of the Alexandria & Bloomfield Railroad Co. was amended whereby the name was changed to the Alexandria and Nebraska City Railroad.

The parts of the amendatory act relied on will be found quoted in full in argument at p. p. 6 and 7.

IV.

That by the general law of Missouri, the legislature had reserved to itself the power to suspend, alter or repeal the charter of all corporations. See Revised Statutes of 1855, page 371, Sec. 7,—and quoted in full in argument page 6.

And further, by the general law of the State, the legislature had the power to alter or amend the charter of all railroad companies within the State. See Revised Statutes of 1855, page 404, sections 56 and 57, and quoted in full in argument, page 6.

V.

By the provisions of Art. 11, Sec. 3, of the Constitution of Missouri, adopted in 1865, the legislature was empowered to amend or repeal existing laws; and that the same continued in force until so amended or repealed.—Said section is quoted at page 6 of argument.

VI.

In 1869—see Session act of that year, page 75—the leg-

islature authorized any railroad company whose line of road terminated at the State line, to consolidate with any other connecting road in the adjoining State. See law quoted in full in printed argument, p. p. 10, 11 and 12.

VII.

That on the 26th day of March, 1870, the Alexandria and Nebraska City Railroad Company did consolidate with the Iowa Southern Railway Company of Iowa, the same being a connecting railroad in the State of Iowa. See articles of consolidation, page 284 of original, and page 230 of printed record.

VIII.

Defendant in Error claims that the power to the county courts to subscribe, was a privilege to and franchise of the North Missouri Railroad, and so being, was by virtue of Sec. 10 of the charter of the A. & B. R. R., made a part of the charter of that company. See Smith, et al., vs Clarke County, 54 Mo., 58.

IX.

That being a franchise of the company, it passed along, and in common with all the other franchises, to the Missouri, Iowa & Nebraska Railway Company, upon consolidation.

Phil., Balt. & Wil. R. R. Co. vs Maryland, 10 How., 376.
Tomlinson vs Branch, 15—470.
Payne vs Lake Erie & Louisville R. R., 31 Ind., 349.
Nugent vs Supervisors of Putnam County, 19 Wal.
Daniel vs St. Louis, Kansas City & Northern R'y, 62 Mo.
State ex rel., A. J. Baker, Att'y Gen'l, vs Greene County, 54 Mo., 540.
Callaway Co. vs Foster, decided at this term of S. C.
Slack vs Mays. & Louisville R. R. Co., 13 B. Mon., 1.

X.

The reserved power in the legislature to alter and amend the charters of all railroad corporations, as contained in the general laws of Missouri, was equivalent to a direct provision authorizing consolidation.

A general act authorizing consolidation, is nothing more

nor less than a proposed amendment to the charters of companies authorized to accept it; and after acceptance, becomes an amendment to the charter.

Hanna vs Cin. & Ft. W. R. R. Co., 20 Ind., 30.

Bishop vs Brainard, 28 Conn., 289.

Schenectaday & Saratoga Plank Road Co. vs Thatcher, 1 Kern., 102.

Buffalo & N. Y. R. R. vs Dudley, 4 Kern., 336.

Slack vs M. & L. R. R., *Supra.*

For reserved power, see Revised Statute of Mo., p. 371, Sec. 7; also p. 438, Sections 56 and 57; and argument, p. 6.

XI.

The court will consider the evident intent of the legislature as provided by the charter, and give effect to consolidation under it.

Hanna vs Cin. & Ft. W. R. R., *Supra.*

See also 8th section of charter of A. & B. R. R. Co., page 1 of argument.

XII.

The case of Harshman vs. Bates Co., is distinguishable from the case at bar—

1st. Because the power there is conferred upon the voters of the township, and the county court is the mere agent of the said voters to do their bidding, and have no power to act except as authorized by the vote.

2d. The Township law was passed after the adoption of the Constitution of 1865, and with a view of conforming to it. Whereas, the charter of the A. & B. R. R. was adopted prior to the Constitution, and so is not subject to it.

State vs Macon Co. Court, 41 Mo., 453.

Smith, et al., vs. Clarke Co, 54 Mo., 58.

Callaway Co., vs. Foster.

3d. The township law is a general law, applicable alike to all corporations, and so cannot be considered as a franchise of any particular corporation until after the subscription is made and accepted.

Slack vs. M. & L. R. R. Co., *Supra.*

In the Supreme Court of United States.

The County of Scotland, in the State of Missouri, Plaintiff in Error, against Joseph T. Thomas, Defendant in Error.

Argument of Defendant in Error.

I.

The demurer to the petition in this cause raises three points. The first and second points are so similar as that they can be considered together. In considering these points we will refer the court to the charter of the Alexandria & Bloomfield Railroad Company.

It will be found in the laws of Missouri, session acts of 1857, page 94, and was approved February 9th, 1857. We particularly refer the court to the 8th and 10th sections, which are as follows:

"§ 8. Said company shall have full power to survey, mark, locate and construct a railroad from the city of Alexandria, in the county of Clark, in the direction of Bloomfield, in the State of Iowa, to such point on the northern boundary line of the State of Missouri as shall be agreed upon by said company, and a company authorized on the part of the State of Iowa, to construct a railroad to intersect the road authorized to be constructed by the provisions of this act, at the most practicable point on said State line, and for that purpose may hold a strip of land, not exceeding one hundred feet wide, and may also, hold sufficient

land for the construction of depots, ware houses, and water stations, *and may select such route as may be deemed most advantageous.*

"§ 10. Said company shall in all things, be subject to the same restrictions, and entitled to all the privileges, rights and immunities which are granted to the North Missouri Railroad Company, by an act entitled 'An act to incorporate the North Missouri Railroad Company,' approved March 3d, 1851, so far as the same are applicable to the company hereby created, as fully and completely as if the same were herein re-enacted."

The 14th section of the act of March 3d, ~~1870~~ 1851, being an act to incorporate the North Missouri Railroad Company, will be found in the laws of Missouri, session act of 1851, at page 486, and is as follows:

"§ 14. It shall be lawful for the county court of any county in which any part of the route of said railroad may be, to subscribe to the stock of said company, and it may invest its funds in the stock of said company, and issue the bonds of said county to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interests and credit of the county. Such county court may appoint an agent to represent the county, vote for it, and receive its dividend; and any incorporated city, town, or incorporated company, may subscribe to the stock of said railroad company, and appoint an agent to represent its interests, give its vote and receive its demands [dividends], and may take proper steps to guard and protect the interest in [of] such city, town or corporation.

The point raised by the first and second clauses of the demurer, is, that this power conferred by statute upon the county court, was not at all in the nature of a privilege to the railroad company, and constituted no part of the franchises of the corporation; and that being no such privilege or franchise of the corporation, was not re-enacted and adopted as a part of the charter of the Alexandria and Bloomfield Railroad Company.

This question has been fully settled and determined by

the Supreme Court of the State of Missouri in the case of Smith & Hall vs Clark County, 54 Mo., p 58.

The county court of Clark county had subscribed to the capital stock of the Alexandria and Bloomfield Railroad Company without submitting the question to a vote, as was then required by the general law of the State of Missouri, claiming to have the right to make such subscription *mero motu* by reason of the provisions of the said 10th section of the charter of the Alexandria & Bloomfield Railroad Company, and the said 14th section of the charter of the North Missouri Railroad Company.

The court following the decision made in the case of The Hannibal and St. Joseph Railroad Company vs Marion County, 36 Mo., 34, held that the power vested in the county court by the said section 14 was a privilege of the corporation, and as such was re-enacted and adopted as a part of the charter of the Alaxandria & Bloomfield Railroad Company under and by virtue of the provisions of the 10th section of the charter of the latter company.

The language of the court in reference to this point in Smith, *et al* vs Clark Co., is as follows. See 54 Mo. at page 69:

"The charter of the A. & B. R. R. Co. was passed in 1857. It was enacted that their company should be entitled to all the privileges, rights and immunities which were granted to the N. M. R. R. Co., as fully and completely, as if the same were re-enacted in their charter. The charter of the N. M. R. R. Co. contained a provision, that the county courts of any county, through which any part of the road passed, might subscribe to the stock.

"It is objected that the right of subscription granted to the counties on the line of the N. M. R. R. is not a privilege or immunity of the railroad company, but of the counties, and is therefore not transferred to the A. & B. R. R. Co. It was undoubtedly the intention of the legislature to give to this last named company the same privileges that had been granted to the former. The county court had no power to subscribe to the stock of railroad corporations, without a

special authority from the legislature, either express or implied. The power thus conceded to the courts or other municipal bodies, may well be termed a privilege to the corporations, and we see no substantial objections to a transfer of such a privilege by simply in general terms embodying the section of the original act, which granted it into the new law. * * These provisions were the principal means by which this and other roads were built, and without them the charters would have been of no value." [Hannibal & St. Jo R. R. Co. vs Marion County, 36 Mo. 394.]

This fully settles that part of the case, and there can no longer be any question as to the authority of the county court of Scotland county to subscribe to the capital stock of the Alexandria & Bloomfield Railroad Company.

II.

The third cause of demurer is as follows:

3. "The act of consolidation made and entered into between the Alexandria and Nebraska City Railroad Company and the Iowa Southern Railway Company, by which the Missouri, Iowa and Nebraska Railway Company was formed, did not and could not authorize the county court of Scotland county to subscribe for the stock of the Missouri, Iowa and Nebraska Railway Company, or to issue the bonds in question without a vote of two thirds of the qualified voters of said county assenting thereto at a regular or special election." This raises the question whether the franchises of the Alexandria and Bloomfield Railroad Company *remain* and *adhere* to the consolidated company known as the Missouri, Iowa & Nebraska Railway Company.

The counsel in their argument before the circuit court, seemed to rely mainly upon the doctrine of Clearwater vs Meridith, and Marsh vs Fulton County, and similiar cases. It need hardly be suggested to the court that the doctrine of those cases have no applicability to the case at bar. The doctrine is well established, that any fundamental change made in the object or design of a corporation, after subscription, will release a non-consenting stock subscriber

from liability on his stock subscription. We have no purpose or desire to controvert this well established principle, nor do we deem it all neccessary to a successful determination of this cause that we should do so.

The record and the bonds set out in the petition show that the subscription was not made by the county court in this case until after the consolidation had been effected.—So the question of want of consent cannot enter into this case. The court did consent to the consolidation, by becoming a subscriber after the date of consolidation.

The only question then that can arise under the demurer is what effect the provisions of Sec. XIV, Article XI, of the constitution of the State of Missouri had upon the rights of counties to subscribe *mero motu* to the consolidated company.

The section referred to was adopted in 1865, and is as follows:

"XIV. The General Assembly shall not authorize any county, city, or town to become a stockholder in or loan its credit to any company, association or corporation, unless two-thirds of the qualified voters of such county, city or town, at a regular or special election to be held therein, shall assent thereto."

The supreme court of Missouri has held in a number of well con dered cases, that this provision of the constitution was prospective only, and does not in any manner affect the right to subscribe where the same existed as a part of the charter of any corporation, prior to the adoption of the constitution. We need not refer to the cases. This court has had them before it, and recognized the rule thus established—in its consideration of the case of Callaway County vs Foster, decided at the present term.

We have shown that by the charter of the Alexandria & Bloomfield Railroad, county courts of any county in which any part of the route of said road might be, were authorized to take stock in said corporation, and to issue their bonds to pay for the same. (See Sec. 10 of the charter of the A. & B. R. R. Co., and Sec. 14 of the N. M. R. R. Co., quoted on page —.)

At the date of the passage of said charter of the Alexandria & Bloomfield Railroad Company, there was also in force in the State of Missouri the following general laws governing corporations, and which will be important to consider in this case, to-wit:

Revised Statutes of Missouri, 1855, page 371, Chapter 34.

"An act concerning corporations.

"Sec. 7. The charter of every corporation that shall hereafter be granted by the legislature shall be subject to alteration, suspension and repeal, in the discretion of the legislature."

Also chapter 39 of the same statutes: "An act to authorize the formation of railroad associations, and to regulate the same."

See Sections 56 and 57 of said chapter at page 438:

"Sec. 56. The legislature may at any time alter or amend this act, but such alteration or amendment shall not impair the rights of companies previously organized, or take away or impair any remedy given by or against any such corporation, its stockholders or officers, for any liability which shall have been previously incurred."

"Sec. 57. All existing railroad corporations within this State, and such as now or may be hereafter chartered, shall respectively, have and possess all the powers and privileges contained in this act; and they shall be subject to all the duties, liabilities and provisions not inconsistent with the provisions of their charter contained in this act."

The constitution of 1865, above referred to, also contains the following provision in Article XI, Sec. III:

"III. All statute laws of this State now in force, not inconsistent with this constitution, shall continue in force until they shall expire by their own limitation, or be *amended* or repealed by the General Assembly.' * * *

The charter of the Alexandria and Bloomfield Railroad Company was amended by an act of the General Assembly, approved Feb. 19th, 1866, as follows—see Laws of Mo., adjourned session 1865, page 222:

"AN ACT to amend an act entitled an act to incorpora-

te the Alexandria and Bloomfield Railroad Company, approved February 9th, 1857, authorizing said company to change the incorporate name, also authorizing said company to extend said road from a point at or near Luray, in Clarke county, Missouri, to Nebraska City, in Nebraska Territory, by way or near Rockport, in Atchison county, Missouri, and also authorizing said company to adopt all or any of the sections of this act, the same to be binding on said railroad company."

"§ 1. That the Alexandria & Bloomfield Railroad Company may change the corporate name of said company to that of the Alexandria and the Nebraska City Railroad.

"§ 2. That said railroad company may extend said road from a point at or near Luray, in Clarke county, Missouri, to Nebraska City, in Nebraska Territory, on the most practicable and direct route by way of or near Rockport, in Atchison county, Missouri.

"§ 3. That said company may consolidate said road, or make any running arrangement with any railroad now constructed, or that may be hereafter constructed in the State of Missouri, such as may be mutually agreed upon by the proper contracting parties connected with said road or roads."

In the Laws of Missouri, session acts of 1869, at page 75, will be found the act of consolidation, under the provisions of which act the Alexandria and Bloomfield Railroad Company—or in other words, the Alexandria and Nebraska City Railroad Co., it having prior to the date of consolidation accepted the amendment of 1866, above referred to, thereby changing its name—effected the consolidation with the Iowa Southern Railway Company, thereby forming the Missouri, Iowa and Nebraska Railway Company. The position of counsel on the other side is, that whereas, this consolidation was effected subsequent to the adoption of the constitution of 1865, and effected under the provisions of an act authorizing such consolidations, which act was also passed subsequent to the adoption of said constitution, that therefore the Missouri, Iowa and Nebraska Railway Com-

pany was a new corporation created after the adoption of said constitution, and so became subject to the provisions thereof, in reference to the power of counties to subscribe to its stock.

We think that we state fully and fairly the position of the plaintiff in error.

Our position is that the consolidated company succeeded to all the powers, privileges and franchises of the constituent corporation within their respective States.

That one of the privileges and franchises of the constituent corporation within the State of Missouri, was the power vested in the county courts along its route to subscribe to its stock without the necessity of a prior vote. That such power to the courts was a privilege to the company we have fully shown in the former part of this brief. It was so decided in reference to the constituent, the Alexandria & Bloomfield Railroad Company, in Smith, et al, vs Clark County, *Supra.* See same principle in State vs M. L. R. R. Co., 13 B., Mon. 1.

And we claim that this privilege remained after the consolidation, as one of the privileges of the Missouri, Iowa & Nebraska Railway Company. That this is an *existing and continuing franchise*, and privilege as distinguished from a newly created or delegated franchise or privilege.

The consolidated company, under its new name, must look for its powers and privileges in each of the States of Missouri and Iowa, to the charter of its constituent corporation, as it exists in that State. These remain and devolve upon the company in its new form to the extent of the jurisdiction of each State over the respective constituent.

It is true the corporate rights and franchises of the old company which appertain to its existence and functions as a corporation, are merged in the new company.

It could no longer sue or be sued in Missouri as the Alexandria and Nebraska City Railroad, nor in Iowa as the Iowa Southern Railroad, but in either and each State must proceed or be proceeded against under its new name, and in its new character. There may be other corporate func-

Racine & Miss. R.R. Co. v. Farmers L. & T. Co. 49 Ills. 331 - see pp. 348 & 351.

Bank of Augusta v. Earle 13 Pet. 512 - see p. 588

O. & M. R.R. v. Wheeler 1 Black, 286.

Farnum v. Blackstone Canal Co. 1 Sumner 46 / see remarks on p. 62

tions which become extinct, but not so with the rights and duties, its privileges and obligations, as the same appertains to the public or to itself, "these remain and devolve upon the new company." This doctrine is fully recognized by all the authorities upon this subject.

Phil. Balt. & Wil. R. R. vs Maryland, 10 How., 376.

Tomlison vs Branch, 15 Wal., 470, and at pp. 465 and 466.

Paine vs The Lake Erie & Louisville R. R. Co., 31 Ind., 349.

Nugent vs Supervisors of Putnam Co., 19 Wal. 241

Daniel vs St. Louis, Kansas City & Northern R'y, 62 Mo. 43

Callaway Co. vs Foster, decided by this court at the present term.

State ex rel., Att'y Gen'l vs Greene Co., 54 Mo. 540.

Cent. RR. v. Georgia 2 Otto. 665

Mt. Vernon v. Hovey 53 Ind. 563

The question is very fully considered in the case of Tomlison vs Branch, *Supra*, from which quotations are made, and from which we further quote and apply the language of Mr. Justice Bradley as found on page 466, where he is summing up the law as laid down by that court in the case of the Phil. Wil. & Bal. R. R. vs Maryland, *Supra*:

"It (the court) considered the evident meaning of the law to be, that whatever privileges either of the former companies possessed, should in like manner be held and possessed by the new company to the *extent of the road which the said former companies had respectively occupied before the union.* That it should stand in their place, and possess the powers, rights and privileges they had severally enjoyed in the portions of the road which had previously belonged to them."

And further on, when commenting on the case of South Carolinia R. R. vs Blond, 9 Rich., 233, the learned Judge says: "As far as the judgment goes, it does not militate against the views we have taken, but seems rather to confirm them by recognizing the *continuing vitality of the powers contained in the old charter.*"

This doctrine finds strong support in the case of Paine vs The Lake Erie & Louisville R. R., *Supra*, where the court says, p. 349:

"It is clear to our minds that the new company succeeded of the rights of the old corporation,the new was composed of the elements of the old; it was the same under a new form. It is only a play upon words to say that Phoenix like the new arose from the ashes of the old, there was no turning to ashes in the process. It only required a commingling of the elements of which the old was composed, the new assumed the liabilities and succeeded to the rights of the old."

Again, in State ex rel vs Greene County, 54 Mo., at 552, the court uses this language: "These cases [referring to Phil. & Wil. R. R. Co. vs Maryland, 10 How., 376, and Tomlison vs Branch, 15 Wal., 460,] show what former privileges *adhere* to companies after consolidation, and they declare the law in conformity with regulations provided for in the act of 1868."

Now this is directly in point in this case. Those cases declare the law in conformity with the regulations provided in the act of 1869, page 75, session acts of that year, which is as follows:

"AN ACT to authorize the consolidation of Railroad companies in this State with companies owning connecting railroads in adjoining States."

"§1—That any railroad company organized under the general or special laws of this State, whose track shall at the line of the State connect with the track of the railroad of any company organized under the general or special laws of any adjoining State, is hereby authorized to make and enter into any agreement with such connnecting company, for the consolidation of the stock of the respective companies whose tracks shall be so connected, making one company of the two, whose stock shall be so consolidated upon such terms and conditions and stipulations, as may be mutually agreed between them, in accordance with the laws of the adjoining State in which the railroad is located, with which connection is thus formed.

Sec. 2. Such consolidation shall not be made however, unless the terms and provisions thereof shall be approved by a majority of the stock, or the holders of a majority of

the capital stock in each of said companies whose stock shall be consolidated, at some meeting called expressly for that purpose, or by the approval of the same by the holders of the same amount of stock in each of said companies in writing and signed by them.

Sec. 3. When the terms of said consolidation shall have been agreed upon as above stated, and approved in one or the other of the modes above set forth, it shall be competent for the board of directors in each of said connecting companies to carry the same into effect, and adopt by a resolution a new corporate name for the company which shall be formed by the consolidation and to call in the certificates of stock then outstanding in each company and exchange them for stock in the new company, as may have been agreed by the terms of the consolidation; and a copy of the said consolidation agreement, and the resolutions of consolidations, and the name adopted for the new company, shall be filed with the Secretary of State, and shall be conclusive evidence of such consolidations, and of the corporate name of the consolidated company; *Provided*, that whenever at any place on the line of this State, two or more railroads in this State are competing for the business, to or from any railroad in an adjoining State, and a consolidation of either of such competing roads, with the road in an adjoining State, would diminish or prevent such competition; then in such case, consolidation shall not be permitted under this act, and in case any railroad in this State shall hereafter intersect any such consolidated road, said road or roads shall have the right to run their freight cars, without breaking bulk upon said consolidated road, shall transact the business of said intersecting or connecting road or roads, on fair and reasonable terms; and the same may be inforced by appropriate legislation; *and provided further*, that the State reserves to itself the right to guarantee to any road that may hereafter be built to any such point, the right to make a fair contract for the transportation of freight and passengers with such consolidated road, and in case any such railroad company shall consolidate,

or attempt to consolidate with a connecting road, contrary to the provisions of this act, any person or party agrieved may bring action against them, in the circuit court of any county through which said road may pass; which court shall have jurisdiction in the case, and power to restrain by injunction or otherwise.

Sec. 4. Any such consolidated company shall be subject to all the liabilities, and bound by all the obligations of the company within this State, which may be thus consolidated with one in the adjacent State, as fully as if such consolidation had not taken place, and shall be subject to the same duties and obligations to the State and be entitled to the same franchises and privileges under the laws of this State, as if the consolidation had not taken place."

The supreme court of Missouri in a very recent case again re-affirm in this doctrine and refer to their decision in State vs Greene county in these words: "The same view was taken by this court,in regard to the effect of a consolidation of roads, declaring that the former rights and privileges *adhered* to the companies after consolidation"—Daniels vs St. Louis Kansas City and Northern R. R. co 62 Mo.,*supra*.

The idea which underlies the reasoning of the courts in the cases of the *continuing vitality of the privileges, exemptions and disabilities* of the constituent corporations,is entirely consistent with the idea of the dissolution of the original corporations themselves. As constituents, they cease to have a corporate existence, but the chartered powers constituting the living principle or soul of each, passes into the new body giving it new life and power. This is the distinction which the court in Tomlinson vs. Branch made between the "corporate rights and franchises of the old company which appertain to its existence," and its "privileges and obligations." while the former become extinct the latter remain and devolve upon the new company.

Immediately therefore upon the consolidation of the Alexandria and Nebraska City R. R., with the Iowa Southern R'y Co., the Alexandria & Nebraska City railroad ceases to exist; but "*eo vestigio tempore*" there sprang into exist-

ence the Missouri, Iowa & Nebraska Railway Co., possessing within the State of Missouri all the rights, privileges and immunities, and subject to all the duties of the A. & B. R. R. Co., as conferred or impossed by its charter. In respect to these there was no cessation or change wrought by the consolidation. The consolidation can only take place by legislative consent. It is an amendment to the charter which the company is authorized to accept or not at its option.

That consent does not create the transferred powers. *These pass as perfect powers, independent of the authorizing statute*, and the usual clause reserving this power is simply a declaration of the law as it exists. It is intended to make manifest an entire assent to the change, especially that no power of the old is prohibited to the new. This we take to be the view of this court, as is evidenced by its language in Tomlinson vs. Branch, *supra*, at p 465 :

"The *keeping alive* of the rights and privileges of the old company and trasferring them to the new company, in connection with the property, indicates the *legislative intent*, that such property was to be holden in the same manner and sujected to the same rights as before."

This doctrine is also fully recognized by this Court, in the case of Nugent vs. The Supervisors of Putnam Co., 19 Wal., and by the supreme court of Missouri in the case of the State, ex rel., At'y Gen'l vs. Greene Co., 54 Mo., 540.

It is urged however that there is a distinction between this case and the case of Nugent vs. Putnam County Supervisors. That there the court relies on the fact the statute at the time of the chartering of the road, authorized the consolidation.

The question comes up in this manner : the subscription of Putnam County was made to one of the constituents before consolidation, and the bonds were issued to the consolidated company. The court say that in as much as the law authorized the consolidation when the stock was taken, it was taken in view of the fact that this change might be wrought in the corporation, and that consequently when

the change was made, the subscriber was not released; and so distinguished between that case and the case of Marsh vs. Fulton County, and of Clearwater vs. Meridith, and similar cases.

Here no such question could arise, from the fact that the county subscribed to the consolidated company and so was a consenting subscriber.

The use which the learned counsel desires to make of that, however, can not escape the attention of the court, viz: That the consolidation creates an essentially new corporation, with new powers and new privileges, &c., and being subsequent to the adoption of the constitution of 1865, deprived the counties of the power vested in them by the charter of the A. & B. Co.

We think that the reasons and authorities relied on above, fully dispose of that question. Even were it otherwise, the authorities quoted in support of the opinion of the court in Nugent vs. Supervisors of Putnam County, would fully dispose of the gentleman's objection. In that particular case it is true the charter of the company authorized the consolidation, but the court treats an act authorizing consolidation as an amendatory act, and refers to statutes authorizing such amendments, and to the decisions under them, among which is the case of

Pacific R. R. vs. Renshaw, 18 Mo., 210;

Bishop vs. Brainard, 28 Conn., 289;

Schenectady & Saratogo Plank Road Co. vs Thatcher 1 Kernan, 102;

Buffalo & N. Y. R. R. vs. Dudley, 4 Kernan, 336;

Hanna vs. The Cincinnati, &c. R R. Co., 20 Ind., 30.

We have shown that under the general law of the State of Missouri applicable to all charterd corporations, such charters were subject to alteration, suspension and repeal, at the pleasure of the Legislature; and that in respect to railroad corporations, the Legislature had reserved to itself the right to alter or amend them, provided such alteration or amendment did not impair the rights of companies previously organized, &c. The constitution of 1865, also re-

serves to the Legislature the right to amend these charters, and that right has been expressly recognized by the Supreme Court of Missouri, in the State vs. Cape Girardeau and State Line R. R., 48 Mo., 468, and by this court in the recent case of Callaway County vs. Foster.

It cannot be objected that the act of consolidation when accepted and adopted by the Alexandria & Nebraska City R. R impaired any of its rights. By their acceptance of it they say it is no such impairment; and a reference to their charter, Sec. 8, will show that it could not be so considered. It only enlarges ther rights, and enables the company to accomplish the ends designed, viz, to extend its line of road into the State of Iowa by a connecting line.

We again quote from the language of the charter upon this point:

Sec. 8. Said company shall have full power to survey, mark, locate and construct a railroad from the city of Alexandria, in the County of Clarke, in the direction of Bloomfield, in the State of Iowa, to such point on the northern boundary line of the State of Missouri as shall be agreed upon by said company, and a company authorized on the part of the State of Iowa, to construct a railroad to intersect the road authorized to be constructed by the provisions of this act at the most practicable point on said State line, * * * * * and may select such route as will be deemed most advantageous.

This view of the case is aptly illustrated by the opinion of the court in the case of Hanna v the Cincinnati & Fort Wayne R. R. Co., 20 Ind., 30.

In that case, a railroad had been organized whose charter authorized it to run from Ft. Wayne to the State Line in the general direction of Cincinnati, and the court held that under this charter, and a provision in the general law authorizing amendments, it was competent for the legislature to authorize a consolidation with a road, or system of roads in Ohio, whose general course lay in the direction of Cincinnati; and that such consolidation did not release a non-consenting stock subscriber from the payment of his stock debt.

The reason assigned, is, that it was evidently intended that there should be a connection at the State line of the chartered route, with some other road in Ohio, and that a consolidation with such road, is but one way, and an effective way, of carrying out the general purpose of the charter. This construction is proper, and is in accordance with the maxim of the law that "that which is within the spirit and meaning of the law is as much a part of it, as if it were specially enacted, or within the letter of the law," a canon of construction made venerable by use, and from which it is never safe to depart.

The case at bar furnishes a much stronger presumption that this consolidation is a change that might reasonably have been expected from the provisions of the charter, than did that of the Cin. Ft. Wayne R. R. The articles of incorporation of the latter company only provided for a road from Ft. Wayne to the State line pointing in the direction of Cincinnati, while the charter of the A. & B. R. R. Co., provides that the road shall be constructed to the State line "*with a view to intersect and connect with another road to be chartered in the State of Iowa.*"

Here was a contemplated blending of the interests of these two companies, one in Missouri and the other to be organized in Iowa, and under the general power to amend, the legislature would have the right, in the furtherance of that contemplated design, to authorize these two companies having these mutual interests, to consolidate.

Instead of creating a new corporation, with new interests and new objects, it is but providing the best possible means for accomplishing the original object and design of the company as expressed in its charter. This was the view taken under similar circumstances, and a similar charter and a similar law authorizing amendments—by the Supreme Court of Ind., in the case of Hanna vs. The Cincinnati, &c. R. R., above cited.

The same views were taken in the case of Bishop vs. Brainard, 28 Conn., 289.

The act providing for consolidation is as much an amend-

ment to the charter after its adoption, as if it had been specially enacted as an amendment thereto. "Legislation is sometimes mandatory and *sometimes permissive*. The act done by permission is as valid as if done in obedience to a command, having all the sanction which Legislative power can give; and rights acquired under the one is just as much entitled to protection as those acquired under the other." Slack vs Marysville & Louisville R. R., 13 B. Mon., I.

There can be no question but that the Legislature, under its reserved power to alter or amend, had the power to amend the charter of the Alexandria and Bloomfield R. R. Co., so as to provide for a consolidation, and that such amendment would not under the provisions of the constitution, take from the consolidated company any of the franchises or privileges belonging to the original company.

The State had granted certain franchises to the original corporation, among which was the franchise to have county courts take its stock, in other words a franchise providing a market for its stock. The act of consolidation, it is conceeded, continues in force, all of the other franchises pertaining to the charter, why not this one?

The State had no object in depriving the company of any privileges granted in the charter, manifests no desire to do so, and we take it for granted that it did not, and that the court will not interpose to do that which the Legislature never indicated an intention to do.

The case of Harshman vs Bates county, recently decided by this court, is relied upon by the plaintiff in error as establishing the doctrine, that an authority to subscribe to the stock of a particular railroad company, does not confer authority to subscribe to that corporation when consolidated with another.

This same case was relied upon by the counsel in their argument before the circuit court. His honor Judge Dillon, having just previously thereto decided that case.

The points of difference between that case and the case at bar are very marked and one can not be an authority for the other.

The case of Harshman vs. Bates County, arose under what is known as the township subscription law.

This is a *general statute* giving power to the voters of the township to subscribe in a manner pointed out by statute. The power to subscribe is by the act conferred directly upon the voters themselves. The source of power is the Legislature, as it is the source of power in all cases of municipal subscriptions.

No power is conferred by the act upon the county court. Under the laws of Missouri there is no township organization through which the subscription could be wrought out. It therefore became necessary that there be an agent to do the clerical work of making the subscription; to sign and issue the bonds and protect the interests of the township.

The Legislature saw fit to make the county courts of the respective counties this agent. It might as well have conferred it upon any other person or officer. It could have been the sheriff, or clerk, or any other county officer, if the legislature had seen fit to so provide.

The duty to be performed was purely ministerial; no discretion was vested in the court,and it was to all intents and purposes the agent of the township, and nothing more; and so we understand the court holds from the language of the decision.

Such being the fact, and the authority having been conferred upon the agent to subscribe to company A, it could not in the exercise of that authority make the subscription to company B. The subscription not having been actually made by the agent empowered to do the clerical act, no rights had accrued to the company.

And just here is the other material point of difference between the two cases.

The law, as we have stated, in these township cases was a general law applicable alike all R. R. companies that might ask for the aid and bring themselves within the provisions of the law. So that the power conferred upon the township, was a mere naked power, constituted no franchise or privilege of any particular company, and none could claim

it as a privilege until after the subscription had been actually made.

Whereas the power conferred upon the courts by the charter of the A. & B. R. R. Co., became a privilege of that company from the time of the acceptance of the charter and the organization under it, and would pass to its successors under the charter, who should acquire the rights of the charter either by purchase or consolidation.

Smith, et al vs. Clarke County, State vs. Green County, and Daniel vs. St. L., K. C. & N. R'y Co., *supra.*

This distinction between a mere naked power conferred upon the voters of a municipality to create a debt by a vote of a majority, and a seperate and independent act granting the right to subscribe to a particular corporation by making it a part of the charter of such corporation, came under consideration of the supreme court of Kentucky, in the case of Slack vs. the Maysville & Louisville Railroad, 13 B. Mon. 1. Judge Marshall in delivering the opinion of the court in that case uses the following language:

"Whatever then might be the case with respect to a mere naked power, or right conferred upon citizens of a county to create a county debt by vote of a majority, which until exercised would probably be subject to revocation even by the Legislature, the 28th section of the act incorporating the M. & L. R. R., is not to be regarded as a separate and independent act, having for its only object the granting of this power; but as *part* of a *charter*, containing the terms on which individuals and communities are invited to become members of the proposed corporation, and to invest funds, and incur liabilities for the construction of a road, which the Legislature considered as an object of great utility, and importance. And the power conferred upon counties and cities by the 28th section, is not only one of the terms, but must have been intended to operate, as it must, in fact, have operated, as an essential inducement to individuals to subscribe for stock in the corporation, which would have been deemed wholly incompetent to the accomplishment of its proposed object, and would therefore, have attracted no in-

dividual subscriptions, and would have failed *in limine*, had it not been for the prospect of aid from the city and county subscriptions, under the authority conferred by this 28 section of the charter. Before any actual interest was acquired under this charter, the whole and every part of it, was subject to repeal or modification. But as soon as individuals had expended their money on the faith of the charter, valid at the time, and of this 28th section as a part of it, and at any rate, as soon as by these means the company was organized in pursuance of the act of incorporation, there was an interest in the execution of the power, which was made irrevocable by mere legislative act, and the entire charter assumed the character of a contract, conferring rights which, if not protected against impairment even by an express provision of a constitution subsequently adopted, are protected by the first section of the schedule, which, expressly declaring, 'that all rights, or conracts of individuals, and corporate bodies, shall continue, as if the said alterations and amendments—of the former constitution—had not been made; repeals every unnecessary construction and implication to the contrary.'"

In summary, we have these facts and laws to guide us to our conclusion:

1. The Alexandria and Bloomfield Railroad Company was chartered by an act of the Legislature in 1857.

2. By the provisions of its charter it was provided that county courts in the various counties along the line of said road might subscribe to its stock and issue their bonds to pay for the stock thus subscribed.

3. This power bestowed upon the county courts was a franchise of the company, Smith, et al vs. Clarke County, *supra*.

4. The general laws of the State applicable to this company reserved to the Legislature the right to amend the charter at its discretion.

5. The constitution of Missouri adopted in 1865 in terms provided that this power of amendment should remain in the Legislature.

6. The original design of the corporation as evidenced

by the provisions of its charter, was, that it should eventually amalgamate its interests with some road in Iowa to be operated in conjunction with it. See Sec. 8 charter.

7. The Legislature of the State of Missouri in 1869 enacted a general law providing in detail a method of effecting such consolidations.

8. The Alexandria and Nebraska City Railroad in the year 1870 did in the manner thus provided consolidate with the Iowa Southern Railway Co., of Iowa.

9. Under the law as laid down by this court in numerous cases and which law has been adopted and followed by the supreme court of Missouri, this franchise, in common with all the other franchises of the corporation, *adhere* to the consolidated company.

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